

Fall 2008

# Breaking the Tire Cycle Advocacy Campaign

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## **Identifying the Issue**

At the beginning of the semester our class came up with several potential issues to develop into an advocacy campaign. We weighed each of these against the criteria that our proposed legislation be fiscally neutral, garner broad support from a variety of stakeholders, and would address an easily identifiable problem. In sum, we wanted to take an idea to Sacramento that would be politically viable, and one that legislators and ultimately the Governor would be hard-pressed to reject. Several of our ideas were deemed too difficult to transform into legislation for one reason or another: banning protestors at military funerals- possibly unconstitutional; blocking development projects through state parks- too broad and too contentious; and creating smoke-free apartments- too local. The advocacy idea that we finally took up had a perfect storm of the right elements, and turned out ripe for the political picking.

Class member Ben McCue works for WiLDCOAST, an environmental nonprofit on the United States-Mexico border and mentioned that the flow of used tires into California from Mexico was a huge burden on local communities. He described how many of these tires actually originated in California. Every year, as a way to divert used tires from the state's congested landfills, California exports millions across the border to Mexico. In border cities like Tijuana and Mexicali, these tires are used for several months and then either discarded, or used as building materials. Thousands are then carried back across the border into California with storm water flows and end up in sensitive ecological areas and public recreational parks. The tires that are recovered, ironically, end up in California landfills.

A legislative "fix" posed the potential to "break the tire cycle," and reduce the associated economic, public health, and environmental impacts that these tires cause. With further research a fiscal source to fund the plan was identified, rendering our proposal fiscally neutral. For every

tire that is sold in California, a tire recycling fee is charged by tire retailers and collected in a Tire Fund managed by the California Integrated Waste Management Board (CIWMB).

According to a scolding report by the Legislative Analyst's Office (LAO), the CIWMB was underutilizing project funding to divert tires from landfills, and the Tire Fund had a balance of nearly \$42 million. The CIWMB's response stated, that despite the existing funds they lacked the authority to address the problem at its source in Mexico and could only effectuate change on the California side of the border.

Our legislative fix was to allow the CIWMB to spend Tire Fund monies in Mexico to break the tire cycle. This legislation would save California taxpayer dollars spent on tire cleanup and disposal and could draw on existing monies to solve a chronic problem in a cost-effective manner. The proposed legislation would additionally build on previous legislation by Senator Denise Ducheny. The Ducheny legislation, Senate Bill 772, mandated the CIWMB to direct funds to study and develop recommendations relating to the flow of used tires from Mexico into California.

Another factor that drew us to this advocacy idea was its media-friendly feel: combining the intrigue of the US/MX border, nightmarish visuals of environmental pollution, and the irresistible spice of government mismanagement of public funds. If we pitched the story and framed the issue correctly, the media would amplify our message, and the resulting exposure would support our advocacy efforts in Sacramento.

### **Researching the Issue**

Using the ten-step construct as a framework, our group was aware that a strongly researched and referenced white paper was a key ingredient to a successful campaign. We

compiled the research that we gathered from several sources, into the enclosed white paper.<sup>1</sup>

Research was conducted by all group members in several ways including:

- Formal and informal interviews with persons regarded as local experts pertaining to cross-border relations, budget and procedures of the CIWMB, regional environmental concerns and regional public health concerns. These interviews were conducted both over the phone and in-person.
- Research was also done on official CIWMB documents to include their Five-Year Plan, a document that was prescribed by Senate Bill 772. The Five-Year Plan and additional documents gave us insight to the CIWMB plans for the future and how progress pointed toward our proposed piece of legislation. These documents provided statistics and data for our white paper.
- Past and recent press releases discussing the tire cycle situation and other cross-border issues were researched. The articles also provided data for our white paper.

Having a well-researched and all-encompassing white paper prepared us to create the rest of the coalition materials. These materials include: a fact sheet; a pictorial explanation of the tire cycle; and coalition educational materials<sup>2</sup>.

### The Fact Sheet<sup>3</sup>

In order to create a quick reference document to share with elected officials and potential coalition members, we took some of the most compelling and important pieces of the white paper and constructed a two-sided, full-color fact sheet. Consisting of referenced facts and compelling pictures, this made for a powerful advocate tool. We included marketing elements to make a stronger case and to grab and hold the reader's attention to our cause. This was one of the most useful tools during our meetings with legislators and community members.

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<sup>1</sup> Attachment A

<sup>2</sup> Attachment B

<sup>3</sup> Attachment C

## Pictorial Rendition of the Tire Cycle<sup>4</sup>

In an effort to illustrate the tire cycle we created a flow chart utilizing pictures taken during a recent trip to the effected region. This rendition brought our concerns to life, helping the legislators and prospective coalition members better understand our concerns and how the tire cycle works. This tool proved very useful during our meetings with elected officials.

## **Allies and Recruitment**

As our group began researching organizations and other stakeholders that might sign on to our coalition, the obvious choices were environmental organizations. We knew that WiLDCOAST was a clear supporter of our cause and we decided to utilize the contacts that Ben McCue had within the environmental community. We brainstormed a list of the environmental organizations that we thought would support our idea: WiLDCOAST , Surfrider Foundation, Coastkeepers, Sierra Club and I Love a Clean San Diego.

We also wanted to expand our coalition to some unusual suspects, including city officials, educational institutions and labor unions. Below is a list of possible coalition members that came from “outside the box.” Scripps Institution of Oceanography; Imperial Beach Schools; Tijuana River Citizens’ Council; National Border Patrol Council: Local 1613; Tijuana River Valley Equestrian Association; City of San Diego; City of Chula Vista; City of Imperial Beach; City of Coronado; County of San Diego; San Diego State University; California Environmental Protection Agency; and the California Integrated Waste Management Board.

As we continued to research our issue and narrow down the framework of our legislative idea, we found it was difficult to get coalition members to sign on for support without a bill number. Nevertheless, we came up with language that could be used before and after our idea became a bill.

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<sup>4</sup> Attachment D

Coalition building also proved to be difficult when we realized we didn't have direct contact information for most of the organizations and agencies we were trying to enlist. With the holidays rapidly approaching and our trip to Sacramento occurring on the first day of work after the New Year, we learned fast that our coalition would be better built after our meetings with legislators' offices.

Through research on the State Assembly website and State Senate website we were able to determine which committees would most likely hear our bill. With guidance from our professors and staff in Assemblywoman Saldaña's office we decided to schedule meetings with the chairs and vice chairs of the Senate Environmental Quality Committee and the Senate Natural Resources and Water Committee. We also requested meetings with Assembly Members and Senators from the San Diego delegation. Once we made contact with the Sacramento offices we were asked to send a written request through email.<sup>5</sup> At this point our group decided it would be best to create a Gmail account for the coalition to receive email correspondence on our issue. This email account not only portrayed a more professional presence than a personal email account but it will also come in handy as our coalition grows. This is how breakthetirecycle@gmail.com was created.

We sent requests to eight different legislators which yielded five meetings. We met with four legislators' offices in Sacramento and had one meeting in San Diego. We also met with the California Environmental Protection Agency (Cal/EPA). This meeting was crucial for two reasons: each legislator wanted to know what our relationship was with Cal/EPA and our talks with them resulted in a strong partnership to propel our legislative idea.

### **Analysis of our Opposition**

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<sup>5</sup> Attachment E

While opposition to our proposal was assumed to be limited, we encountered some obstacles along the way. When we first began to develop our idea and were mapping out potential supporters and opposition, we had a difficult time mapping out organizations, groups, and entities that would be potential opponents of our work. Our initial positional map included just three possible opponents: The California Integrated Waste Management Board (CIWMB); The Governor of the State of California; and the Minutemen organization.

We thought that the Governor's office may oppose our legislation because of the state's severe financial situation. We were not necessarily concerned about the Governor being opposed to the spirit of the legislation, but by drawing attention to this large "pot" of money, the Governor may find it more pressing to find "alternative" uses for the funds. Tire Fund monies were loaned to the General Fund in the past (there are currently outstanding loans to the fund in excess of \$16 million), and today's economic situation calls for the state to identify potential funding from anywhere possible to meet budgetary obligations. As we began the project we half-jokingly wondered if we should even bring this project forward at this time – who knows how many people may want to get their hands on this source of funding. We have not yet approached the Governor's office about this bill, and are still not sure what his response to it will be, but we still hold our concerns about the likely outcome, to borrow additional monies to cover General Fund obligations during the state's fiscal crisis.

The Minutemen Project, a controversial organization that works in a militia style to promote border security, is assumed to be an organization that may oppose spending money or resources in Mexico, regardless of the purpose. We did, however, list them on the map in between "Opposition" and "Neutral" as we were not quite sure about our assumption. We felt that this group could potentially swing either way. They may be interested in doing anything

possible to stop the flow of traffic across the border: humans; drugs; or pollution. The Minutemen Project was not contacted about this project, and it is unlikely that we will attempt to work with this group.

Finally, the CIWMB was listed as potential opposition. It was key that we get this agency on board because our project proposes to write legislation that most directly influences the activities of this agency over any other. Initial interactions with some representatives of this agency were tense. We felt that CIWMB would dislike this legislation because it would essentially mandate that they grant their funds in a certain way. It was a sensitive issue that we wanted to handle in a delicate manner. Eventually, we made some excellent connections with CIWMB, had positive conversations with various CIWMB staff members, and continue to build bridges within the agency. While in Sacramento, we were able to schedule a meeting with the California Environmental Protection Agency (Cal/EPA). Cal/EPA is an umbrella agency, with the CIWMB underneath. As mentioned above the meeting with Cal/EPA was extremely well received. Cal/EPA is interested in continuing the conversation and currently seeking ways for us to continue this work and collaborate.

### **Time Line and Key Campaign Steps**

The issue of tires coming back to the United States from Mexico took some time to ripen with the members of the class. On November 6th the class participated in three presentations, Maddy Morris, from Supervisor Greg Cox's office, Jeff McDonald from the Union Tribune and Ben McCue with an impromptu photo depiction of the tire devastation in the border region. Two things happened that night. The Breaking the Tire Cycle Coalition took shape and Jeff McDonald connected Ben with the Union Tribune's Mike Lee to look further into the issue for a story.



Our next step was to create a reverse time line from our December 22 final run-through with Professors Wayne and Libby. This was our last chance to receive critique before our trip to Sacramento. We determined that our research on the topic was most important and necessary to build the fact sheet, white paper and the educational materials. Since we were on a restricted time line, Ben McCue built the white paper in conjunction with Jennifer Martin building the fact sheet. The two documents served as the foundation for our research leads, our narrative and led us to identify a probable author for our piece of legislation, Senator Denise Ducheny.

Between November 6 and December 4, the Breaking the Tire Cycle Coalition (BTC) developed the following key strategies to bring the Tire Cycle to the attention of legislators and the San Diego community.

Research on the Issue: Ben McCue brought the problem and the research underpinnings to the group. The BTC researched incoming California Integrated Waste Management Board members and their positions, the San Diego delegation, former Senate Bills addressing the tire cycle, the economic, health and environmental impact that the tires have upon the region and people, the fiscal impact of the legislation and the people currently involved with the tire issue.

Fact Sheet: Jennifer Martin designed the fact sheet and incorporated the key research points and impact into the piece. The fact sheet evolved as our group sought advice and began to better understand the tire cycle story.

Branding: Naming and Framing: In addition to the white paper and fact sheet, Maureen Guarcello was developing a logo to add an identity to the Tire Cycle. Break the Tire Cycle had already been adopted as our cause name, so we needed a visual that underscored the problem and also conveyed that ours was a water-borne issue. The bulky tractor tire rolling in a set of waves with the sun setting behind it was the image that we adopted. We also added a subtitle to our

campaign name: Breaking the Tire Cycle: pollution has no borders. This added the international component into our branding and rounded out our efforts.

We developed letterhead,<sup>6</sup> an email address, labels for campaign material folders, and branding for our existing fact sheet and white paper with this new brand identity. These materials made it possible for Adina Veen to contact and secure appointments with legislators in Sacramento and San Diego.

Strategy Map of Supporters and Detractors:<sup>7</sup> We sat down as a team to consider who was for and against us. The map is also a living document, since we don't know who will be opposed to the issue until we encounter them. As mentioned above, we found that the CIWMB and Cal/EPA were not detractors but very supportive of our idea and now are active proponents of the introduction and passage of legislation to Break the Tire Cycle.

Members of Coalition Group – Education and Tools:<sup>8</sup> Ben Cartwright created tools including letter copy and talking points for coalition members to contact their legislators and to advocate on behalf of the Breaking the Tire Cycle Coalition.

Coalition Building: Although we didn't have a formal coalition built, the pieces were in place to have members join should we have the legislation introduced.

Bring it to the Public – Press Releases, Media, Press Conferences: After Ben and the *Union Tribune's* Mike Lee spoke, it set into motion a series of events that worked perfectly for our day in Sacramento. One week to the day before we left, Mike Lee's article *Tire trouble knows no borders*<sup>9</sup> ran in the December 29 edition of the *Union Tribune*. We used copies of this article to underscore our case and found that it had been picked up by the news reports that many

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<sup>6</sup> Attachment F

<sup>7</sup> Attachment G

<sup>8</sup> Attachment H

<sup>9</sup> Attachment I

California legislators read, including the *Rough and Tumble*. We discovered this while talking with Legislative Advocate Mike Robson, when we mentioned why we were in Sacramento he recalled seeing the article the week before.

Official Lobbying: We met with the following legislators and their staff:

Senator George Runner (Vice Chair, Environmental Quality Committee) - Meeting with Chris Nguyen; Senator Denise Ducheny - Meeting with Kim Craig, Deputy Chief of Staff; Senator Kehoe - Meeting with Deanna Spehn, Legislative Director (in San Diego); Assembly Member Saldaña - Meeting with Andrew Zingale, Legislative Director; Assembly Member Mary Salas - we met directly with the Assembly Member. We also met with the California Environmental Protection Agency at their headquarters. The Cal/EPA meeting was with Ricardo Martinez (Deputy Secretary for Border Affairs) and his staffers including Nicholas Surjan and Bart Christiansen.

Unanswered requests included: Senator Joe Simitian (Chair, Environmental Quality Committee); Senator Darrell Steinberg (Chair, Natural Resources and Water Committee); and Senator Dennis Hollingsworth (Vice Chair, Natural Resources and Water Committee).

All of our meetings were well received and our most promising meetings were with Senator Denise Ducheny's office, Senator Christine Kehoe's office and with the Cal/EPA. From our meeting with Kim Craig, it was hopeful that Senator Ducheny was interested in introducing our bill this session. Our meeting with Cal/EPA expanded on our legislative idea and gave us a number of leads for key stakeholders to include in our coalition.

Even after a long day in Sacramento, our meetings were not over. The following day we met with Deanna Spehn, Legislative Director for Senator Kehoe. Meeting with her was the perfect next step. We had a possible author, supporters in state agencies and now all we needed

was to have key contact information for other agencies and organizations that would be vital to our coalition. Not only did she confirm that our positional map was on the right track but she added other key agencies we needed to contact and get on-board.

Here is a list of the contacts she recommended we be in-touch with: Mayor Sanders Office; Joe Neslon (Government Relations Director); Chris Conniver (Environmental Services Director); Elmer Heap (Public Works Director and Former Director of Environmental Services); Supervisor Greg Cox; Supervisor Diane Jacobs (new chair); Cameron Purkel (Governor's District Office); Lani Lutar (President, San Diego County Taxpayers Association); Johnnie Perkins (Santee Landfill); Greater San Diego Chamber of Commerce; South Bay Economic Development and finally; SANDAG (Gateway to contact with Coronado, Imperial Beach, and other South Bay cities).

SANDAG also maintains close relations with Baja California and a member from Mexico sits on the board as an ex-officio member. There is a separate Border Committee that would also be supportive. The Border Committee works on the border region that the county shares with Mexico. The Border Committee works on solid waste and produces an annual Regional Comprehensive Plan.

Deanna Spehn was a great help in getting our foot in the door for these agencies and elected officials' offices. We found that the hardest part of calling big offices like these was knowing exactly who we needed to ask for.

Immediately following our visits we sent out thank you emails to all the staff and legislators we met with (even one to our capital tour guide). Depending on how each meeting went, we appropriately tailored the thank you emails.<sup>10</sup>

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<sup>10</sup> Attachment J

### **Implementation and Monitoring**

Senator Ducheny followed through by submitting language to Legislative Council by the deadline for this year. We are currently waiting for a Senate Bill number and continue to build our coalition. Adina Veen and Ben McCue will closely follow the legislation through this year and the remaining founding members of the Breaking the Tire Coalition will also keep in-touch with the progress of the legislation.

In February 2009, Senator Ducheny submitted Senate Bill 167. Adina Veen and Ben McCue worked closely with legislative aide, Angelo Sandoval in Senator Ducheny's office. Senate Bill 167 was assigned to the Senate Committee on Environmental Quality. Support for the bill continued to grow as letters of support started to come in from:

- United States Environmental Protection Agency (USEPA)
- American Federation of State, County of Municipal Employees (AFL-CIO)
- Rubber Manufacturer Association
- City of Imperial Beach
- Eight District of San Diego (Benjamin Hueso, Council President)
- Heal the Bay
- Natural Resources Defense Council
- Planning and Conservation League
- San Diego Coastkeeper
- Southwest Wetlands Interpretive Association
- Surfrider San Diego
- Tijuana River Valley Equestrian Association
- Tijuana River Citizens' Council

On April, 20, 2009 SB 167 was assigned to be heard in the Senate Committee on Environmental Quality. Adina Veen and Ben McCue spent the day in Sacramento testifying at the committee hearing and meeting with members of the Assembly Natural Resources committee, the committee to hear the bill once passed to through the Senate. SB 167 passed through committee and then continued to pass through each step of the legislative process. This bill was such a success that a member of the Planning and Conservation League, an

environmental nonprofit lobbying organization, stated that SB 167 not only had bi-partisan support but that it let the legislature feel good about itself. On October 11, 2009, Governor Schwarzenager signed the bill into law.



**Contact the Break the Tire Cycle Coalition:**

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Breaking the Tire Cycle  
White Paper

## EXECUTIVE SUMMARY

The California Integrated Waste Management Board (CIWMB) exports more than two million waste tires in an effort to divert them from California landfills. In wet-weather months, storm water carries thousands of waste tires every year back across the border from Tijuana into California. San Diego County and the border region have experienced record-breaking rainfall further aggravating an ongoing tire catastrophe that significantly impacts:

- **Economy** – California taxpayers are double and triple paying for tire disposal and the damage that they cause, including mini-dams, large debris that blocks waterways, adding to flood damages.
- **Public Health** – Discarded tires are breeding grounds for mosquitoes, viruses and rodents.
- **Environment** – Thousands of tires lie where storm waters deposit them, including Border Field State Park. The park is located within the Tijuana River National Estuarine Research Reserve, a sensitive habitat for hundreds of bird and wildlife species.

State, local, and federal agencies spend public funds, between \$5 and \$13, to excavate each tire, which is ultimately deposited in a California landfill. The most efficient and cost-effective way to break this waste tire cycle is to work directly with Baja California agencies investing in and developing cooperative recycling and reuse projects, mirroring the effective waste tire programs in California.

California Integrated Waste Management Board (CIWMB) program examples include:

- Tire Recycling, Cleanup, and Enforcement Grants
- Rubberized Asphalt Concrete Grant Programs
- Tire-Derived Product (TDP) Grants

Despite a surplus of means available in the established fund for these projects, the CIWMB does not currently have the authority to spend money across the border.

**The California legislature can help break this tire cycle by amending the Public Resource Code to give the CIWMB the authority it needs to fund tire recycling and reuse projects in Baja California<sup>1</sup>. As these funds are available in surplus, this legislation has a neutral fiscal impact.**

## I. BACKGROUND

- a) California waste tire production, disposal, and recycling

It is estimated that California produces more than **40 million waste tires every year**, the equivalent of 1.1 per resident<sup>2</sup>. In order to reduce the landfill disposal of tires, the

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<sup>1</sup> Section 42885.5 of the California Public Resources Code

<sup>2</sup> California Integrated Waste Management Board. May 20, 2008 Board Meeting. Agenda Item 7.



Legislature established a statewide recycling program to be administered by the California Integrated Waste Management Board (CIWMB)<sup>3</sup>. A fee of \$1.75 per tire is assessed on the sale of new tires, and collected revenue is deposited quarterly into the California Tire Recycling Management Fund (CTRMF). The CIWMB administers the program to encourage the diversion of waste tires from the state's landfills through a number of activities, including conducting/funding research, assessing market demand for waste tire products, and providing grants, and technical assistance to business, state, and local users of waste-tire products. In 2006, CIWMB staff estimated 74% of the waste tires generated were diverted from disposal or stockpiles. However, about 11 million tires are ultimately taken to landfills in California each year.

b) Waste tire export to Mexico

As one way of diverting tires from California landfills, the CIWMB exports more than two million waste tires annually<sup>4</sup>. Many of these waste tires are used in shantytowns, or *colonias*, in Mexican border cities as inexpensive building materials and for attempted erosion control.

c) Return of waste tires to California

Every winter, sewage and trash-laden storm water dislodges and carries thousands of waste tires from Tijuana to California through the Tijuana River channel and open culverts in the border fence. This flow of waste tires represents economic, environmental, and public health challenges to California's border communities.

By obstructing border collection infrastructure, waste tires hinder the capture and treatment of "renegade" wastewater flows from Tijuana, resulting in an increased public health threat for outdoor recreation at downstream parks and beaches. These tires degrade the recreational value of public multi-use trails in the Tijuana River Valley, Estuary, and Border Field State park. Tires create ideal breeding grounds for mosquitoes, rodents, and other vectors of disease, which lead to a potential increase in the incidence of malaria, dengue fever, and encephalitis diseases such as West Nile Virus.

Waste tires from Tijuana blanket the sensitive ecosystems of the Tijuana River Valley, Estuary, and Border Field State Park. They make the removal of sediment from the Tijuana Estuary difficult, as each tire must be excavated by hand.<sup>5</sup> Approximately 80,000 pounds of tires are hand-plucked each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve. Many thousands more are unable to be removed due to limited time and resources. Some of the tires end up being stored creating stockpiles that have the potential to cause great environmental damage in both countries<sup>6</sup>. Tire piles can catch fire and burn for months, emitting noxious fumes and generating liquid wastes that

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<sup>3</sup> The California Tire Recycling Act of 1989 (AB 1843)

<sup>4</sup> California Integrated Waste Management Board. 2007. FIVE-YEAR PLAN FOR THE WASTE TIRE RECYCLING MANAGEMENT PROGRAM. (4th Edition Covering Fiscal Years 2007/08–2011/12) Report

<sup>5</sup> Personal communication with Clay Phillips, Tijuana River National Research Reserve Manager. 11/25/08

<sup>6</sup> California Biodiversity Council. Biodiversity Along the Border Committee. Final Report. 2007.

contaminate soil, groundwater, and surface water<sup>7</sup>. Over the next five years Californians will purchase almost 200 million tires increasing the threat that waste tires bring if they are not properly managed.

Categorized as “hazardous waste,” tires have high disposal costs and create an economic burden for local government departments and state agencies.

## **II. BREAKING THE TIRE CYCLE**

State agencies acknowledge that funding projects to manage, recycle and reuse waste tires in Baja California is the most efficient solution to keep them from returning to California wetlands and landfills. The California Biodiversity Council’s Border Work Group recommended for state waste tire and conservation grant funding to be spent in Mexico to train engineers on how to use waste tires in civil engineering projects including retaining walls, tire-derived aggregate and rubberized asphalt concrete to reduce the number of tires flowing into California.

In recent years, the Legislature has taken the lead by giving statutory direction on the use of the Tire Fund in an effort to address the flow of waste tires from Mexico<sup>8</sup>. In 2005, SB 772 was enacted to require the CIWMB to include in the Five-Year Plan specified border region activities conducted in coordination with the California Environmental Protection Agency. These activities include training programs, environmental education, development of waste tire abatement plan, and a study tracking tire flow across the border.

However, the greatest obstacle to reducing the flow of tires across the border is that the CIWMB does not have the authority to fund projects in Baja California through the established grant program.

## **III. STATE TIRE FUND SURPLUS**

The CIWMB’s Tire Fund has carried a persistently large reserve balance of more than \$20 million for several years. As of May 20, 2008 this balance was \$42 million and was projected to increase to approximately \$58 million by Fiscal Year (FY) 2009/10 (this large jump reflects the anticipated repayment of the \$17.1 million that was borrowed from the Tire Fund to meet General Fund obligations in FY 2003/04, which is currently set for FY 2008/09).<sup>2</sup>

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<sup>7</sup> EPA 2012 State of the Border Region Indicators Report. (2005)

<sup>8</sup> SB 772 (Ducheny). 2005. An act to amend Section 42885.5 of the Public Resources Code, relating to the environment.

The Tire Fund reserve balance presents the opportunity for the state to increase the waste tire diversion rate from California landfills while reducing the impact of waste tires that flow from Baja California into the Tijuana River Valley and Estuary.

**Quotes:**

“Preventing tires...from entering the Tijuana River and Estuary is a less expensive fix than funding on-going litter removal and recycling programs. California state agencies and local government departments assigned to eradicate tire piles... and/or fund projects to do so do not have the authority or the power to spend public funds in Mexico. Yet it is acknowledged that addressing the problem upstream is less expensive than cleaning up the aftermath downstream.”

-California Biodiversity Council. Biodiversity Along the Border Committee. Final Report. 2007.

“The amount and proportion of waste tires that are not diverted from landfills is still large...the large fund balance presents the board with the opportunity to increase the waste tire diversion rate.”

-Legislative Analyst's Office. 2007 report on the California Integrated Waste Management Board.

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SB 167 will reduce the public health, environmental, and economic impacts of waste tires along the California-Tijuana border

## THE CALIFORNIA - TIJUANA TIRE CYCLE



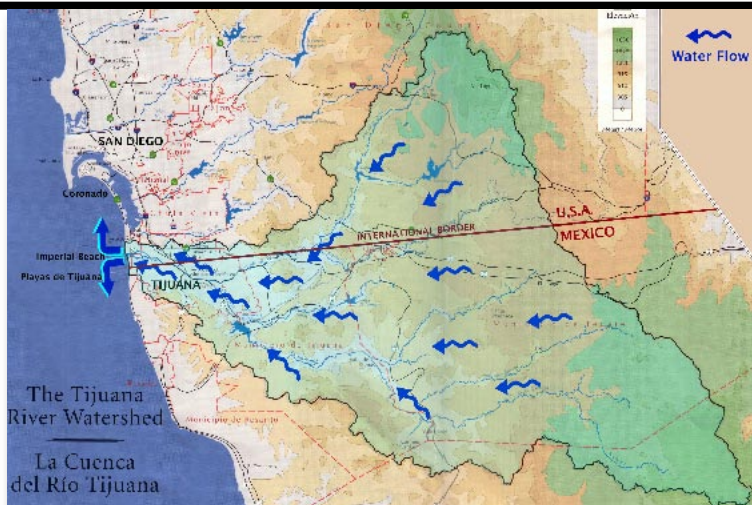
Border Field State Park, San Diego County on Thanksgiving Day, 2008. Pollution shown in picture is the result of less than one inch of rain which fell in the region the previous day.

The California Legislature can help break this tire cycle by **passing SB 167** (Ducheny) to give the CIWMB the authority to fund waste tire recycling and reuse projects in Baja California. As these funds are available in surplus, this legislation has a **neutral fiscal** impact.

**T**he California Integrated Waste Management Board (CIWMB) exports more than two million waste tires annually in an effort to keep them out of California landfills. In Mexican border cities, waste tires are used in shantytowns, or colonias, as inexpensive building materials and for attempted erosion control. During our annual wet-weather months, storm water carries thousands of waste tires back across the border from Tijuana into California. This creates significant environmental, public health, and economic impacts. State, local, and federal agencies spend public funds to excavate the tires, which are ultimately disposed in California landfills. The most efficient and cost-effective way to deal with this waste tire issue is to work directly with Baja California agencies to support the development and markets for waste tires, and to invest in and develop cooperative reuse projects. Despite a surplus of means available in the established fund for these projects, the CIWMB does not currently have the authority to spend money across the border.

**80,000 pounds**  
Approximately 4,000 tires (80,000 pounds) are hand-plucked each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve. Many thousands more are unable to be removed due to limited time and resources.

California Biodiversity Council. Biodiversity Along the Border Committee. Final Report. 2007.



**Contact the Break the Tire Cycle Coalition at:**

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# STATE TIRE FUND SURPLUS



Los Laureles, Tijuana - one mile upstream from the US/Mexico border

**T**he CIWMB's Tire Fund has carried a persistently large reserve balance of more than \$20 million for several years. As of May 20, 2008 this balance was \$42 million and was projected to increase to approximately \$58 million by Fiscal Year 2009/10.

In recent years, the Legislature has taken the lead by giving statutory direction on the use of the Tire Fund in an effort to address the flow of waste tires from Mexico. In 2005, SB 772 was enacted to require the CIWMB to include in the Five-Year Plan specified border region activities conducted in coordination with the California Environmental Protection Agency. These activities include training programs, environmental education, development of waste tire abatement plan, and a study tracking tire flow across the border.

The greatest obstacle to reducing the flow of tires across the border is that the CIWMB does not have the authority to fund projects in Baja California through the established grant program.

California Integrated Waste Management Board. May 20, 2008 Board Meeting.

"The amount and proportion of waste tires that are not diverted from landfills is still large...the large fund balance presents the board with the opportunity to increase the waste tire diversion rate."

-Legislative Analyst's Office. 2007 report on the California Integrated Waste Management Board.

## SPEAKING OUT TO BREAK THE TIRE CYCLE

"Preventing tires... from entering the Tijuana River and Estuary is a less expensive fix than funding on-going litter removal and recycling programs. California state agencies and local government departments assigned to eradicate tire piles... and/or fund projects to do so do not have the authority or the power to spend public funds in Mexico. Yet it is acknowledged that addressing the problem upstream is less expensive than cleaning up the aftermath downstream."

-California Biodiversity Council. Biodiversity  
Along the Border Committee. Final Report 2007.

## Take Action: What you can do

Contact your California State Senator and Assemblymember and tell them that they can help break this tire cycle by **VOTING YES ON SB 167** to give the CIWMB the authority to support waste tire recycling and reuse projects in Baja California.

Waste tires from Tijuana blanket the sensitive ecosystems of the Tijuana River Valley, Estuary, and Border Field State Park. They make the restoration of the Tijuana Estuary difficult, as each tire must be excavated by hand.

Clay Phillips, Tijuana River National Research Reserve Manager. 11/25/08

## SB 167 Bill Supporters:

United States Environmental Protection Agency (USEPA)  
American Federation of State, County & Municipal Employees  
AFL-CIO  
Rubber Manufacturer Association  
City of Imperial Beach  
Eighth District of San Diego (Benjamin Hueso, Council President)  
Heal the Bay  
Natural Resources Defense Council  
Planning and Conservation League  
San Diego Coastkeeper  
Southwest Wetlands Interpretive Association  
Surfrider San Diego  
Tijuana River Valley Equestrian Association  
Tijuana River Citizens' Council



Public recreational trail, Tijuana River Valley  
County Regional Park - January 9, 2009

## SB 167 Bill Sponsors:

WiLDCOAST/COSTASALVAjE and Breaking the Tire Cycle Coalition

Photos courtesy of Ben McCue - WiLDCOAST/COSTASALVjE

# THE CALIFORNIA - TIJUANA TIRE CYCLE



6.

1. In order to support waste tire diversion programs, the tire cycle begins with California consumers paying the \$1.75 California Tire Fee.

2. More than two million waste tires are exported from California annually.

3. Waste tires are used as inexpensive building materials and for attempted erosion control in Mexican border cities.



5.

4. Storm water carries thousands of waste tires back across the border from Tijuana to California posing environmental, health and economic threats.

5. More than 80,000 pounds of waste tires are removed, by hand, from the sensitive habitats of the Tijuana Estuary annually.

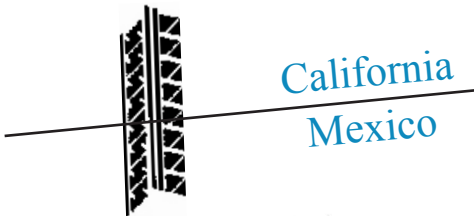
6. Costing the state between \$5 and \$13 per tire removed, the waste tires ultimately end up in California landfills.



1.



2.



California  
Mexico



4.



California  
Mexico



3.



Reducing the public health, environmental, and economic impacts of waste tires along the California-Tijuana border

# BREAKING THE TIRE CYCLE: POLLUTION HAS NO BORDERS

## POSITIONAL MAP

OPPOSITION

NEUTRAL

PROPOSERS



CA INTEGRATED WASTE  
MANAGEMENT BOARD

GOVERNOR'S OFFICE

DEPARTMENT OF  
HOMELAND SECURITY

TIRE INDUSTRY

IMPERIAL BEACH SCHOOLS

HOSPITAL SYSTEMS

MINUTEMEN

CHICANO  
GROUPS

TIJUANA RIVER VALLEY EQUESTRIAN ASSOCIATION  
SCRIPPS INSTITUTION  
OF OCEANOGRAPHY

SURFRIDER FOUNDATION

COASTKEEPERS

NATIONAL BORDER PATROL  
COUNCIL; LOCAL 1613

LOCAL HEALTH CLINICS

TIJUANA RIVER CITIZENS' COUNCIL  
CITY OF SAN DIEGO

AUDUBON SOCIETY  
CITY OF CHULA VISTA

HUMANE SOCIETY  
CITY OF IMPERIAL BEACH

SIERRA CLUB  
CITY OF CORONADO

COUNTY OF SAN DIEGO

I LOVE A CLEAN SAN DIEGO  
FAMILY HEALTH CENTERS OF SAN DIEGO

SAN DIEGO STATE UNIVERSITY

WILDCOAST

UNITED STATES NAVY





925 Seacoast Drive · Imperial Beach, CA 91932  
p: 619.423.8665, ext. 208  
f: 619.423.8488  
[breakthetirecycle@gmail.com](mailto:breakthetirecycle@gmail.com)

(DATE)

Senator or Assemblymember  
State Capitol, Room \_\_\_\_\_  
Sacramento, CA 95814

Faxed to: (916) \_\_\_\_\_ - \_\_\_\_\_

**Re: SB 167 Tire Bill – Support**

Dear Senator/Assemblymember \_\_\_\_\_:

I am writing to encourage your support of Senate Bill 167. This bill would protect the economic, environmental, and public health interests of California by allowing revenues generated from the tire recycling fee to fund waste tire related clean-up along the California-Mexico border.

The California Integrated Waste Management Board (CIWMB) exports more than two million waste tires annually to Mexico in an effort to keep them out of California landfills. After these tires are used for a short period of time many are improperly disposed of in Mexican border cities. Every year, thousands of waste tires are carried across the border into California with storm-water flows. They create significant environmental, public health, and economic impacts. Tires degrade sensitive ecosystems and obstruct the collection of ocean-bound wastewater and solid trash.

State agencies acknowledge that the most efficient and cost-effective way to resolve this waste tire issue is to work directly with Baja California agencies to engineer and develop cooperative management, recycling and reuse projects. In recent years, the Legislature has taken the lead by giving statutory direction on the use of the Tire Fund. However, despite a surplus of means available in the Fund for these projects, the CIWMB does not have the authority to spend money on implementing these border projects. All the while, state, local, and federal agencies spend public funds to excavate and dispose of waste tires from Mexico.

SB 167 will resolve this problem by giving the CIWMB the authority it needs to deal with waste tires in a cost-effective way using the established Tire Fund. It will safeguard our economic, environmental, and public health interests while saving taxpayers' money.

For these reasons, we ask for your yes vote on SB 167.

Sincerely,

(NAME)  
(address)

# **Background Sheet**

## **SB 167 (Ducheny)**

### **Waste Tire Recycling**

#### **SUMMARY**

Every winter, sewage and trash-laden storm water dislodges and carries thousands of waste tires from Tijuana to California through the Tijuana River channel and open culverts in the border fence. This flow of waste tires represents economic, environmental and public health challenges to California's border communities. This bill would authorize the California Integrated Waste Management Board (CIWMB), upon appropriation by the Legislature, to use the revenues generated from the California tire fee, to fund border clean-up activities in the California-Mexico border region.

#### **BACKGROUND**

It is estimated that California produces more than 40 million waste tires every year, the equivalent of 1.1 per resident. In order to reduce the landfill disposal of tires, the Legislature established a statewide recycling program, administered by the California Integrated Waste Management Board (CIWMB). A fee of \$1.75 per tire is assessed on the sale of new tires and the collected revenue is deposited quarterly into the California Tire Recycling Management Fund (CTRMF). The CIWMB administers the program to encourage diversion of waste tires from the state's landfills.

One practice the CIWMB has implemented to divert tires from California landfills is that it exports more than two million waste tires annually to Mexico. Many of these waste tires are used in Colonias in Mexican border cities as inexpensive building materials and are also used as erosion control. However, during the winter months, storm water dislodges and carries thousands of these waste tires from Tijuana back to California through the Tijuana River Channel. This flow of tires back into California leads to obstructions in the wastewater treatment infrastructure leading to public health hazards and increased clean-up costs.

State agencies acknowledge that funding projects to manage, recycle and reuse waste tires in Baja California is the most efficient solution to keep these diverted tires from returning to California wetlands and landfills. However, the greatest obstacle to addressing this issue is that the CIWMB does not have the authority to fund projects in Baja California through the established grant process.

#### **WHAT THE BILL DOES?**

SB 167 Would:

- Allow revenues generated from the tire recycling fee to fund waste tire border related clean-up activities.

**SPONSOR:** Author.

**STATUS:** Introduced.

**SUPPORT:** Break the Tire Cycle Coalition

**OPPOSITION:** None at this time.

**CONTACT:** Angelo Isaac Sandoval, (916) 651 - 4040



925 Seacoast Drive · Imperial Beach, California  
91932  
p: 619.929.1363 · f: 619.423.8488 ·  
breakthetirecycle@gmail.com

April 15, 2009

Senator Denise Ducheny  
State Capitol, Room 5035  
Sacramento, CA 95814

Sent via Fax: (916) 327-3522

**Re: SB 167 Tire Bill – Sponsor**

Dear Senator Ducheny:

**The Break the Tire Cycle Coalition would like to sponsor your Senate Bill 167.** This bill would protect the economic, environmental, and public health interests of California by allowing revenues generated from the tire recycling fee to fund waste tire related clean-up along the California-Mexico border.

Every winter, sewage and trash-laden storm water dislodges and carries thousands of waste tires from Tijuana to California through the Tijuana River channel and open culverts in the border fence. This flow of waste tires represents economic, environmental, and public health challenges to California's border communities.

By obstructing border collection infrastructure, waste tires hinder the capture and treatment of "renegade" wastewater flows from Tijuana, resulting in an increased public health threat for outdoor recreation at downstream parks and beaches. These tires degrade the recreational value of public multi-use trails in the Tijuana River Valley, Estuary, and Border Field State park. Tires create ideal breeding grounds for mosquitoes, rodents, and other vectors of disease, which lead to a potential increase in the incidence of malaria, dengue fever, and encephalitis diseases such as West Nile Virus.

Waste tires from Tijuana blanket the sensitive ecosystems of the Tijuana River Valley, Estuary, and Border Field State Park. They make the removal of sediment from the Tijuana Estuary difficult, as each tire must be excavated by hand. Approximately 80,000 pounds of tires are hand-plucked each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve. Many thousands more are unable to be removed due to limited time and resources. Some of the tires end up being stored creating stockpiles that have the potential to cause great environmental damage in both countries. Tire piles can catch fire and burn for months, emitting noxious fumes and generating liquid wastes that contaminate soil, groundwater, and surface water. Over the next five years Californians

will purchase almost 200 million tires increasing the threat that waste tires bring if they are not properly managed.

Categorized as “hazardous waste,” tires have high disposal costs and create an economic burden for local government departments and state agencies. State agencies acknowledge that funding projects to manage, recycle and reuse waste tires in Baja California is the most efficient solution to keep them from returning to California wetlands and landfills. The California Biodiversity Council’s Border Work Group recommended for state waste tire and conservation grant funding to be spent in Mexico to train engineers on how to use waste tires in civil engineering projects including retaining walls, tire-derived aggregate and rubberized asphalt concrete to reduce the number of tires flowing into California.

In recent years, the Legislature has taken the lead by giving statutory direction on the use of the Tire Fund in an effort to address the flow of waste tires from Mexico. In 2005, SB 772 was enacted to require the CIWMB to include in the Five-Year Plan specified border region activities conducted in coordination with the California Environmental Protection Agency. These activities include training programs, environmental education, development of waste tire abatement plan, and a study tracking tire flow across the border.

However, the greatest obstacle to reducing the flow of tires across the border is that the CIWMB does not have the authority to fund projects in Baja California through the established grant program. The CIWMB’s Tire Fund has carried a persistently large reserve balance of more than \$20 million for several years. The Tire Fund reserve balance presents the opportunity for the state to increase the waste tire diversion rate from California landfills while reducing the impact of waste tires that flow from Baja California into the Tijuana River Valley and Estuary.

SB 167 will resolve this problem by giving the CIWMB the authority it needs to deal with waste tires in a cost-effective way using the established Tire Fund. For these reasons we support your legislation as a sponsor.

Sincerely,

Adina Veen  
Co-founder  
Break the Tire Cycle Coalition

**From:** (waste board member)  
**Date:** Mon, 12 Oct 2009 01:12:06 -0400  
**To:** Benjamin McCue <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>  
**Subject:** Re: Leg. Council Letter

Congratulations!

X

-----Original Message-----

From: Benjamin <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>  
To: (waste board member)

Sent: Tue, Oct 6, 2009 10:05 am  
Subject: Re: Leg. Council Letter

Hi XXXXXX,

I believe the letter from leg council to the Governor on the constitutionality of the bill was in response to the August 3 CIWMB "oppose unless amended" letter. I apologize for assuming that you had seen it this last one. This was the letter that I was referring to when I asked if the board members had approved this position. I look forward to hearing what you are able to find out. Please let me know if there is a good time to talk today.

Thanks,

Ben

--

Ben McCue  
Coastal Conservation Program Manager  
WILDCOAST

On 10/5/09 8:11 PM, (waste board member) wrote:

Ben - The attached letter is what I got when I followed up with the leg staff. They believe that no one responded to this. I don't really want to be quoted, but I understand why someone would not respond if the advice was to dump your bill or we will oppose it, which means a likely veto. It might have been good to engage the CIWMB before the end of session to see if there was any place to go, but this was there view one month out. I'm getting up and driving to Sacramento tomorrow, so I'll be with them and see what is said.

X

-----Original Message-----

From: Benjamin <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>  
To: (waste board member)  
Sent: Mon, Oct 5, 2009 9:25 am

Subject: Re: Leg. Council Letter

Thanks, XXXXXX. I'll push Ducheny's to see if they can get anything else out of leg council. As a board member, could you request a written analysis on the bill from them? I will let you know if I can get any more information.

Cheers,

Ben

P.S. Here is a photo of one of our multi-use trails in San Diego that runs to Border Field State Beach. This was after last year's 2nd rain. We cleaned up the tires during a volunteer cleanup. There were 700 of them...

**From:** (waste board member)

**Date:** Fri, 02 Oct 2009 13:33:19 -0400

**To:** Benjamin McCue <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>

**Subject:** Re: SB 167

Ben - It was great talking to you as well, I would expect that someone from here would be doing such good things. It's fine to tell them you talked to me. Whenever I get that letter I'll see what I can do. If I get involved in the marine protection thing over the next period, I might give you a call and make sure I know exactly what you're doing.

XXXXXX

-----Original Message-----

From: Benjamin <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>

To: (waste board member)

Sent: Thu, Oct 1, 2009 3:14 pm

Subject: FW: SB 167

Hi XXXXXX,

Thank you for giving me your insight to better understand the obstacles facing our bill. Ducheny's office just spoke to the leg council attorneys and they reconfirmed the constitutionality of SB 167. Their argument is that the the nexus with the tire fee is strong since the activities would address the impact of used CA tires sent to Mexico that then reenter the state's waste stream. That these activities would also benefit tires that originated in Mexico does not threaten the nexus. They are faxing me over the letter they have. I will scan it and send it to you.

Ducheny's office asked who I spoke with on the board. Do you mind if I tell them?

It was really good to chat today. Thanks

Ben

--

Ben McCue  
Coastal Conservation Program Manager  
WILDCOAST

----- Forwarded Message

From: Kimberly Craig <[kim.craig@sen.ca.gov](mailto:kim.craig@sen.ca.gov)>

Date: Thu, 1 Oct 2009 14:22:24 -0700

To: Benjamin McCue <[benjamin@wildcoast.net](mailto:benjamin@wildcoast.net)>, Angelo Sandoval  
<[angelo.sandoval@sen.ca.gov](mailto:angelo.sandoval@sen.ca.gov)>

Subject: RE: SB 167

I will have angelo check. Normally, a written opinion requires 30 days to turn around. Verbal can usually be done quicker. Let us figure this out and we will follow-up. We drafted the bill like we did to make sure that the nexus was as strong as we could make it. We do have a letter from leg counsel saying that if enacted, the bill would be constitutional. Normal course that the Governor's office requests on all bills as part of their review process.

Thanks.

Kim Craig  
Deputy Chief of Staff  
Senator Denise Moreno Ducheny

-----Original Message-----

From: Benjamin [<mailto:benjamin@wildcoast.net> <<mailto:benjamin@wildcoast.net?>> ]

Sent: Thursday, October 01, 2009 2:19 PM

To: Sandoval, Angelo

Cc: Craig, Kim

Subject: SB 167

Importance: High

Hi Angelo,

Pursuant to a conversation with a member of the CIWMB this morning, the opposition letter dated August 3 was not approved by the board. The CIWMB attorneys believe that there is no wiggle room regarding the legality of SB 167 (re: fee vs. tax). If we can get a written opinion from leg council ASAP supporting our argument, we could potentially get board members to help lobby the Governor. The member I spoke with would be willing to hand deliver the leg council opinion to the CIWMB attorneys.

As we've researched it, the seminal argument, Sinclair Paint Company vs. Board of Equalization (1997), supports SB 167 since the CA Tire Fee is a regulatory fee used to mitigate the actual and anticipated adverse effects



of CA used tire disposal (in this case, the export of tires to Mexico), and use of the fees bear a reasonable relationship to the social, environmental and economic burdens of used tire generation.

Please let me know if the Senator would be willing to request such a letter from leg council.

Thanks,

Ben

--

Ben McCue  
Coastal Conservation Program Manager  
WILDCOAST



# Green California

## Priority Bills on the Assembly Floor August 28, 2009

### **SB 4 (Oropeza): Public Resources: State Beaches and Parks: Smoking Ban – SUPPORT**

- Would ban smoking at all state beaches and parks (does not include adjacent parking lots).
- Would impose a \$100 fine for each violation and authorizes the Department of Parks and Recreation to issue warnings before signs have been posted.

*Contact: Sonia Diaz, Heal the Bay, sdiaz@healthebay.org, 310-451-1500 x165*

### **SB 14 (Simitian): Renewable Energy Resources: Generation and Transmission – SUPPORT**

- While SB 14 is still a work-in-progress, passage of a clear, enforceable 33% RPS is essential to meeting our greenhouse gas reductions under AB 32.
- A strong SB 14--without 'offramps' to nowhere--will bring economic certainty to the renewable energy industry, help to create green-collar jobs, and reduce our reliance on natural gas, which is subject to tremendous price volatility.

*Contact: Dan Kalb, Union of Concerned Scientists, dkalb@ucsusa.org, 510-843-1872*

### **SB 32 (Negrete McLeod): Renewable Electric Generation Facilities – SUPPORT**

- Expands current feed-in tariff for renewable energy from 1.5 to 3 megawatts. A feed-in tariff requires an investor-owned utility to take renewable electricity generated by small renewable generators, such as solar on warehouse roofs, and to pay the generator a market-based price set by the PUC.
- SB 32 will reduce peak load demand, reduce the need for new transmission lines, and help the state meet its Renewable Portfolio Standard.

*Contact: Saul Acosta Gomez, Clean Power Campaign, Saul@ceert.org, 916-447-7983*

### **SB 104 (Oropeza): California Global Warming Solutions Act of 2006: designation of greenhouse gases – SUPPORT**

- The bill provides an important science-based update to the list of global warming gases that can be controlled under AB 32.
- This bill will help ensure that the Air Resources Board has the tools it needs to reduce emissions of all relevant greenhouse gases over the long-term.

*Contact: Dan Kalb, Union of Concerned Scientists, dkalb@ucsusa.org, 510-809-1569*

### **SB 167 (Ducheny): Waste Tires – SUPPORT**

- California currently exports more than 3M used tires annually to Mexico where many are disposed of improperly. Thousands are carried back to CA in storm water flows where they present significant environmental, public health and fiscal impacts.
- SB 167 would enable California to more efficiently deal with waste tires along the CA-Mexico border by allowing tire fee funds to be spent on recycling, reuse, and education projects in the region. Due to its low fiscal impact, SB 167 was passed out of Senate Appropriations through the 28.8 rule.

*Contact: Charlotte Hodde, Planning and Conservation League, chodde@pcl.org, 916-313-4518*

### **SB 372 (Kehoe): State Park Protection – Role of State Park & Recreation Commission – SUPPORT**

- Senate Bill 372 is modeled on existing state law that requires review and legislative action prior to alteration of conservation lands. The bill requires that alterations or modifications to state parks that are inconsistent with park purposes be enacted only upon an act of the Legislature, preceded by a recommendation from the state Park and Recreation Commission.
- SB 372 appropriately reflects the Commission's oversight function for state parks and ensures its role in decisions to modify or alter a park for any non-park purposes.

*Contact: Traci Verardo-Torres, CA State Parks Foundation, traci@calparks.org, (916) 442-2119*

**SB 505 (Kehoe): Local Planning: Fire Hazard Impacts – SUPPORT**

- Promotes improved fire hazard planning for development in very high hazard severity zones (HHSZs) and state responsibility areas (SRAs).
- Requires OPR, by January 1, 2011, to update its "Fire Hazard Planning" document prepared as part of the General Plan Technical Advice Series and issued in November of 2003.
- It directs local government, at the same time it updates its housing element, to also revise the safety element for SRAs and HHSZs while taking into account the advice contained within OPR's "Fire Hazard Planning" document.
- This would make sure that people take into account historical data in the area on wildfires, and identify construction design or methods, including fire resistive construction materials, fuels management methods, or other methods, to minimize damage if new development is located in a SRA or HHSZ.

*Contact: Michael Endicott, Sierra Club California, sierrachub@aol.com, 415-971-1652*

**SB 555 (Kehoe): Protecting Conservation Easements – SUPPORT**

- Provides some protection for public investments in conservation easements by requiring condemning agencies to communicate their intent to condemn to the easement holder and demonstrate that the public value of their project warrants the condemnation.
- SB 555 will preserve the integrity of easement agreements and the power of condemnation simultaneously though a cost-effective process that ensures communication prevails when California is confronted with conflicts of interest regarding condemnation.

*Contact: Darla Guenzler, California Council of Land Trusts, darla@calandtrusts.org, (916) 497-0272*

**SB 679 (Wolk): State Park Protection – Protecting & Maintaining CA's Investment in State Parks – SUPPORT**

- California lacks a clear, unambiguous policy that prioritizes protection of state parks and ensures that a state-level body makes final decisions about our parks' futures.
- Senate Bill 679 reinforces the statewide significance of our state park system and enacts protections that safeguard the multi-billion dollar investment in our state parks. The bill requires that lands used as state parks cannot be used for non-park purposes without an act of the Legislature and the provision of substitute lands of equal environmental and fair market value.

*Contact: Traci Verardo-Torres, CA State Parks Foundation, traci@calparks.org, (916) 442-2119*

**SB 716 (Wolk): Local Transportation Funds – SUPPORT**

- Existing law authorizes local transportation funds to be used for local streets and roads in rural counties.
- SB 716 will update the definition of rural counties to counties with a population of 500,000 or less by centennial Census.
- Authorizes in rural counties, the use of transportation funds for specified farmworker vanpool purposes.

*Contact: Martha Guzman Aceves, California Rural Legal Assistance Foundation, mguzmanaceves@crlaf.org, 916-446-7901*

**SB 757 (Pavley): Ban on Lead in Wheel Weights – SUPPORT**

- SB 757 would promote the use of non-toxic alternative products and prohibit the sale and installation of lead wheel weights in California, codifying a Proposition 65 settlement in which the domestic manufacturers of wheel weights agreed to cease shipping lead weights into the state, providing a level playing field on which "good actor" companies can effectively compete.
- Lead wheel weights falling off cars and trucks are a major, unregulated source of lead pollution in drinking water -- posing potential risks to human and environmental health, including brain damage and nervous system disorders, especially in young children and developing fetuses.

*Contact: Ansje Miller, Center for Environmental Health, Ansje@ceh.org, 510-594-9864 x315*

**SB 790 (Pavley): Resources: Water Quality: Stormwater Resource Plans – SUPPORT**

- SB 790 creates a framework for encouraging multi-benefit projects, moving state policy toward viewing stormwater as a resource rather than just a water quality issue.
- Stormwater resource planning offers the opportunity to address different challenges – water supply, water quality, and environmental protection – while providing additional benefits such as job creation, recreational opportunities, habitat enhancement and community beautification.

*Contact: Deborah Weinstein, TreePeople, dweinstein@treepeople.org, 818-623-4887*

**SB 797 (Pavley and Liu): Product Safety: Bisphenol A. – SUPPORT**

- Would protect children's health by limiting the amount of the toxic chemical and synthetic estrogen bisphenol A (BPA) in baby bottles, sippy cups, infant formula cans and baby food jars.
- Would ensure that any replacement chemical was not a carcinogen or reproductive toxin.

*Contact: Bill Allayaud, Environmental Working Group, bill@ewg.org, 916-333-0566*



# Green California

## Priority Bills on the Senate Floor August 28, 2009

### **\*\*SCA 18 (Liu): Local Government: Property-Related Fees – SUPPORT**

#### **AB 64 (Krekorian and Bass): Renewable Energy Resources: Generation and Transmission – SUPPORT**

- While AB 64 is still a work-in-progress, passage of a clear, enforceable 33% RPS is essential to meeting our greenhouse gas reductions under AB 32
- A strong AB 64--without 'offramps' to nowhere--will bring economic certainty to the renewable energy industry, help to create green-collar jobs, and reduce our reliance on natural gas, which is subject to tremendous price volatility.

*Contact: Dan Kalb, Union of Concerned Scientists, [dkalb@ucsusa.org](mailto:dkalb@ucsusa.org), 510-843-1872*

#### **AB 94 (Evans): Natural Heritage Preservation Tax Credit Act of 2000 – SUPPORT**

- Re-authorizes the Natural Heritage Preservation Tax Credit. A volunteer program that allows willing land owners an option to donate their resource land to the state in exchange for a tax credit equal to 55% of the fair market value of the property.
- By providing a mechanism to acquire land at 55 cents on the dollar, the program has saved California approximately \$40 million to acquire more than 8,000 acres across the state.

*Contact: Rico Mastrodonato, Trust for Public Land, [rico.mastrodonato@tpl.org](mailto:rico.mastrodonato@tpl.org), (916) 557-1673 x13*

#### **AB 147 (Saldana): Hazardous Waste: Electronic Waste – SUPPORT**

- Provides DTSC with authority to request documentation from electronics manufacturers detailing the content and amount of hazardous materials contained in their products.

*Contact: Scott Smithline, Californians Against Waste, [scottsmithline@cawrecycles.org](mailto:scottsmithline@cawrecycles.org), 916-443-5422*

#### **AB 226 (Ruskin): Coastal resources: California Coastal Act of 1976: enforcement – SUPPORT**

- This bill would give the Coastal Commission the ability to impose administrative penalties on people found to be violating the Coastal Act, following a public hearing. Currently, only a court can impose penalties for violations of the Coastal Act. The judicial process is very slow and resource-intensive, and so currently the Commission has a backlog of over 1,300 enforcement cases. By contrast, most other state and local environmental regulatory agencies have the authority to administratively assess fines and penalties.
- AB 226 will also allow the Commission to keep the penalty revenues from the use of its existing civil penalty authority. Currently, these funds are transferred to the Coastal Conservancy.

*Contact: Linda Sheehan, California Coastkeeper Alliance, [lsheehan@cacoastkeeper.org](mailto:lsheehan@cacoastkeeper.org), 510-770-9764*

#### **AB 291 (Saldana): Resolving Coastal Commission Violations – SUPPORT**

- This bill would require that people seeking a Coastal Development Permit resolve any outstanding violations of the Coastal Act on the property prior to issuance of, or as part of, the new permit.
- Allows for an exception to find an application is complete if it is a de minimis violation.
- Allowing development permits to be issued and violations resolved as part of the same permit process is significantly more efficient than pursuing those processes separately.

*Contact: Michael Endicott, Sierra Club California, [sierrachub@aol.com](mailto:sierrachub@aol.com), (415) 971-1652*

#### **AB 301 (Fuentes): Vended Water – SUPPORT**

- AB 301 requires businesses licensed to bottle water or sell water for human use from private water sources to report annually the total volume of water bottled or distributed, the source of the water, whether the source is privately or publicly owned, and the county of that source. Information regarding how the bottling or vending operation may affect groundwater aquifers or surface water supplies is generally not available and is not currently required to be reported.
- Credible and transparent information would help both community members and decision-makers to understand more accurately the impacts of proposed and existing bottled-water facilities in California.

*Contact: Vern Goehring, Food & Water Watch, [vern@cal.net](mailto:vern@cal.net), 916-444-8194*

**AB 444 (Caballero): Conservation Lands Endowments – SUPPORT**

- AB 444 takes an important step forward in strengthening public-private partnerships in relation to managing mitigation lands by establishing permissive, cost-effective statute permitting local and state agencies to transfer endowments to nonprofits and special districts who can provide fiscally prudent management of this tool for advancing California resource conservation goals.
- AB 444 has received unanimous bipartisan support in all committee hearings, and is supported by more than 40 organizations statewide with no registered opposition.

*Contact: Darla Guenzler, California Council of Land Trusts, [darla@calandtrusts.org](mailto:darla@calandtrusts.org), (916) 497-0272*

**AB 473 (Blumenfield): Recycling Services for Multifamily Dwellings – SUPPORT**

- Assists local agencies meet solid waste diversion mandates by requiring owners of multifamily dwellings to provide for recycling services.
- Provides residents in apartment complexes and other multifamily units to contribute to participate more fully in statewide efforts to recycle valuable resources, reduce GHGs and to divert solid waste from landfills.

*Contact: Justin Malan, StopWaste.Org, [justin@pricecon.com](mailto:justin@pricecon.com) (916) 448-1015*

**AB 489 (Huffman): Commercial Fishing – SUPPORT**

- AB 489 revises one of the commercial fishing fees – the landing tax – to more equitably distribute the financial burden on the commercial fishing industry and generate additional revenue to fund the commercial fishing program.
- The bill will shift the assessment from a fee based solely on the pounds sold to one based on the value of the fish sold. Beginning in 2011 a 1.5 percent fee would be set in statute, changing in 2013 to 3 percent fee.

*Contact: Karen Garrison, Natural Resources Defense Council, [kgarrison@nrdc.org](mailto:kgarrison@nrdc.org), 415-875-6100*

**AB 499 (Hill): Environment: Determination: Dispute – SUPPORT**

- Makes clarifying amendments to CEQA to ensure that all parties with a direct interest in a case brought pursuant the California Environmental Quality Act (CEQA) are aware of the pending litigation and parties with no direct link to the case are not unnecessarily dragged into a lawsuit.
- The bill calls for lead agencies to list “recipients of approval” for a particular project in the agencies Notice of Exemption (NOE) or the Notice of Determination (NOD). AB 499 will make clear who must be named in a lawsuit by asking the agency most familiar with who it is granting approval to simply to list those recipients in the NOE or NOD.

*Contact: Tina Andolina, Planning and Conservation League, [tandolina@pcl.org](mailto:tandolina@pcl.org), 916-444-8726*

**AB 521 (De La Torre): Utility Property Leases for Park Purposes – SUPPORT**

- Facilitates the creation of local parks by requiring the Public Utilities Commission (PUC) to take into account the myriad community benefits from local parks and open space when determining a fair lease rate for their utility right-of ways.

*Contact: Rico Mastrondonato, Trust for Public Land, [rico.mastrodonato@tpl.org](mailto:rico.mastrodonato@tpl.org), (916) 557-1673 x13*

**AB 560 (Skinner): Net Energy Metering – SUPPORT**

- Net energy metering, a policy that allows owners of solar energy systems to get credit for excess generation fed into the grid and is crucial to the economics of solar systems, is currently capped at 2.5% of aggregate peak demand. Given current growth rates, this threshold will halt the development of the California solar market within the next 12-18 months.
- AB 560 would lift the cap, allowing the state to achieve the goals of the California Solar Initiative, and bring solar energy into the mainstream

*Contact: Adam Browning, The Vote Solar Initiative, [abrowning@votesolar.org](mailto:abrowning@votesolar.org), 415-817-5062*

**AB 626 (Eng): Integrated Regional Water Management Planning – SUPPORT**

- AB 626 clarifies language from SB 1XX (Perata, 2008) that requires no less than 10% of the Prop 84 funds appropriated for the IRWMP program be used for projects with targeted benefits for disadvantaged communities. AB 626 clarifies the SB 1XX language to indicate that the "no less than 10%" shall be applied to each region awarded funds as opposed to across the entire appropriation which could result in disadvantaged communities in some regions being left out.
- AB 626 will ensure that disadvantaged communities in every region of the state have an opportunity to benefit from the water infrastructure investments funded by the IRWMP program by creating an incentive for regional management groups to include disadvantaged communities in their plans.

*Contact: Debbie Davis, Environmental Justice Coalition for Water, [Debbie@ejcw.org](mailto:Debbie@ejcw.org), 510-286-8403*

**AB 666 (Jones): Subdivision Maps – SUPPORT**

- Requires counties to make certain findings before it can approve a tentative map or parcel map for a subdivision in a State Responsibility area or a very high fire hazard severity zone, including findings that adequate fire protection services will be available and that the subdivision is designed consistent with state fire protections regulations.

*Contact: Tina Andolina, Planning and Conservation League, tandolina@pcl.org, 916-313-4521*

**AB 708 (Huffman): Anti-Poaching – SUPPORT**

- Imposes additional fines on illegal take of California wildlife
- Better incentivizes local prosecution of egregious violators

*Contact: Jordan Wellwood, Audubon California, jwellwood@audubon.org, 916.649.7600 ext. 106*

**AB 758 (Skinner): Energy: Energy Audit – SUPPORT**

- Requires the CA Energy Commission to implement a program to achieve additional energy efficiency savings in existing residential and commercial buildings.
- Requires the CA Public Utilities Commission to investigate the ability of electricity and natural gas utilities to provide financing options to their ratepayers to pay for energy efficiency measures. Also requires publicly owned utilities to implement an energy efficiency program.

*Contact: David Fink, Global Green USA, dfink@globalgreen.org, 310-581-2700*

**AB 828 (Lieu): California Green Building Standards – SUPPORT**

- Authorizes state environmental and health agencies to participate in the process of developing and updating the California Green Building Standards Code. Also requires consultation with the public, environmental advocacy groups, local government, code enforcers, and the building and design industry.
- Makes other clarifying changes to the green building standards development process and ensures the authority of the California Energy Commission (CEC) to adopt voluntary energy efficiency standards as green building standards.

*Contact: Victoria Rome, Natural Resources Defense Council, vrome@nrdc.org, 415-875-6100*

**\*\*AB 890 (J. Perez): City of Maywood: Drinking Water – SUPPORT**

**AB 920 (Huffman): Surplus Solar Compensation Bill – SUPPORT**

- Requires utilities to compensate owners of solar, or other small renewable energy systems (like wind), for any surplus electricity generated on a yearly basis. Currently, if a solar system generates more electricity in a given year than a customer uses, the customer gives that electricity away to the utility.
- This bill does NOT confer an additional subsidy for solar but rather a fair compensation for the actual electricity received by the utility.
- Utilities get RPS credit for whatever they buy from the customer.

*Contact: Bernadette Del Chiaro, Environment California, Bernadette@environmentcalifornia.org, 916-446-8062*

**AB 925 (Saldaña): Leash Your Lid: Plastic Beverage Container Caps – SUPPORT**

- Like the pop-tops of aluminum cans of the 1970's, this law would make plastic beverage bottle caps become part of CA's successful bottle recycling by requiring caps be recyclable and attached to the bottle.

*Contact: Leslie Tamminen, Seventh Generation Advisors, Leslie.Tamminen@gmail.com (310) 780-3344*

**AB 975 (Fong): Water Corporations: Water Meters – SUPPORT**

- Requires water corporations regulated by the Public Utilities Commission to install water meters on new service connections and on unmetered connections by 2025.
- Require water billing to be based on meter readings and actual volume of water used.

*Contact: Jim Metropulos, Sierra Club California, jim.metropulos@sierraclub.org, 916-557-1100 x109*

**AB 1066 (Mendoza): Forest practices: timber harvesting plans – OPPOSE**

- AB 1066 would increase the length of a logging plan by up to four years, without fixing any of the shortcomings of our logging rules which are driving California's salmon, steelhead and other species to extinction.
- Will make it much more difficult to assess and prevent harm from cumulative impacts of timber harvests and clearcuts.
- Will make it more difficult for the public to provide meaningful input to THP reviews
- Should be amended to only extend existing THPs that expired in 2008 and 2009 not future ones as well.

*Contact: Michael Endicott, Sierra Club California, sierrachub@aol.com, (415) 971-1652*

**AB 1069 (Monning): Plant Pests: Telephone Hotline – SUPPORT**

- Building upon AB 2763 (Laird), would provide that CDFA establish a toll-free telephone hotline in areas where an aerial or ground pesticide application will occur, as part of a federally-funded pest eradication program;
- Would ensure that the hotline is staffed by public health personnel that are familiar with the pesticides being applied;
- Would support and streamline the system for pesticide illness reporting by cataloguing adverse health effects and providing reporting forms for physicians.

*Contact: Paul S. Towers, Pesticide Watch, paul@pesticidewatch.org, (916) 551-1883*

**\*\*AB 1186 (Blumenfield): Employee Parking – SUPPORT**

**AB 1242 (Ruskin): Human Right to Water – SUPPORT**

- AB 1242 will make it a policy of the state of California that everyone should have access to safe, affordable water for basic human needs.
- AB 1242 requires state agencies to conform to the policy by ensuring that grant guidelines, regulations, and agency practices prioritize the provision of safe, affordable water for basic human needs.

*Contact: Debbie Davis, Environmental Justice Coalition for Water, debbie@ejcw.org, 510-286-8403*

**AB 1405 (De Leon/M. Perez): Community Benefits Fund – SUPPORT**

- Establishes a Community Benefits Fund to direct a portion of revenues from AB 32 implementation to help Californians who are least able to confront the expected impacts of the climate crisis at the local level.
- Ensures equal protection from the California climate crisis.

*Contact: Nidia Bautista, Coalition for Clean Air, nidia@coalitionforcleanair.org, 916- 498-1560 x3*

**AB 1438 (Conway): Safe Drinking Water State Revolving Fund – SUPPORT**

- Will provide for the Department of Public Health to improve its ability to provide local assistance through the Safe Drinking Water State Revolving Fund by allowing the Dept to determine their maximum grant award through its annual Intended Use Plan which they provide to the US EPA. This administrative process will expedite how DPH can provide better local assistance for more affordable drinking water rates.

*Contact: Martha Guzman Aceves, California Rural Legal Assistance Foundation, mguzmanaceves@crlaf.org, 916-446-7901*

COMPLETE BILL HISTORY

BILL NUMBER : S.B. No. 167  
AUTHOR : Ducheny  
TOPIC : Solid waste: waste tires.

TYPE OF BILL :  
Inactive  
Non-Urgency  
Non-Appropriations  
Majority Vote Required  
Non-State-Mandated Local Program  
Fiscal  
Non-Tax Levy

BILL HISTORY

2009

Oct. 11 Chaptered by Secretary of State. Chapter 333, Statutes of 2009.  
Oct. 11 Approved by Governor.  
Sept. 28 Enrolled. To Governor at 1 p.m.  
Sept. 10 In Senate. To enrollment.  
Sept. 9 Read third time. Passed. (Ayes 48. Noes 28. Page 3228.) To Senate.  
Aug. 31 From committee: Do pass. (Ayes 12. Noes 5.) (Heard in committee on August 27.) (Received by desk on August 28 pursuant to JR 61(a)(11).) Read second time. To third reading.  
July 8 Set, first hearing. Referred to APPR. suspense file.  
June 23 From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 7. Noes 2.) Re-referred to Com. on APPR. (Heard in committee on June 22.)  
May 28 To Com. on NAT. RES.  
May 14 In Assembly. Read first time. Held at Desk.  
May 14 Read third time. Passed. (Ayes 25. Noes 9. Page 888.) To Assembly.  
May 5 Read second time. To third reading.  
May 4 From committee: Be placed on second reading file pursuant to Senate Rule 28.8.  
Apr. 24 Set for hearing May 4.  
Apr. 22 Read second time. Amended. Re-referred to Com. on APPR.  
Apr. 21 From committee: Do pass as amended, but first amend, and re-refer to Com. on APPR. (Ayes 6. Noes 1. Page 585.)  
Mar. 24 Set for hearing April 20.  
Mar. 9 To Com. on EQ.  
Feb. 15 From print. May be acted upon on or after March 17.  
Feb. 14 Introduced. Read first time. To Com. on RLS. for assignment. To print.



**SENATE COMMITTEE ON ENVIRONMENTAL QUALITY**  
**Senator S. Joseph Simitian, Chairman**  
**2009-2010 Regular Session**

**BILL NO:** SB 167

**AUTHOR:** Ducheny

**AMENDED:** As Introduced

**FISCAL:** Yes

**HEARING DATE:** April 20, 2009

**URGENCY:** No

**CONSULTANT:** Carroll Mortensen

**SUBJECT:** WASTE TIRES: BORDER REGION ASSISTANCE

**SUMMARY:**

Existing law:

- 1) Creates, under the “Environmental and Public Health Protection At the California-Mexico Border Law” (Commencing with Public Resources Code Section 71100 et seq.), a California Border Environmental and Public Health Protection Fund to assist responsible agencies in California and Baja California in implementing projects to identify and resolve environmental and public health problems, including projects related to domestic and industrial wastewater, vehicle and industrial air emissions, hazardous waste transport and disposal, human and ecological risk, and disposal of municipal solid waste. Money in the fund cannot be made available for the purpose of bringing a person or facility into compliance with environmental laws or to provide funds to remediate environmental damage.
- 2) Establishes, under the California Integrated Waste Management Act of 1989 (commencing with Public Resources Code Section 40000 et seq.), various waste-related programs, including the waste tires program, California Tire Recycling Act, and the tire hauler registration program, and a fee on new tires to fund tire program activities.
- 3) Requires, under the California Tire Recycling Act (commencing with Public Resources Code Section 42860 et seq.), the Integrated Waste Management Board (IWMB) to adopt a five-year plan that must be every two years, regarding the waste tire program goals and objectives. Specifically related to border issues the five-year plan must address:

- a) Training programs to assist Mexican waste and used tire haulers to meet the requirements for hauling those tires in California.
- b) Environmental education training.
- c) Development of a waste tire abatement plan, with the appropriate government entities of California and Mexico.
- d) Tracking both the legal and illegal waste and used tire flow across the border and recommended revisions to the waste tire policies of California and Mexico.
- e) Coordination with businesses operating in the border region and with Mexico, with regard to applying the same environmental and control requirements throughout the border region.

This bill:

- 1) Requires the IWMB to include in the five-year plan, as a border activity, the development of projects in Mexico in the California-Mexico border region, including education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed in California.
- 2) Authorizes the IWMB, upon appropriation by the Legislature, to use the revenues generated from the California tire fee to fund border activities.
- 3) Makes extensive findings and declarations as to the threat posed by California tires in Mexico.

COMMENTS:

- 1) Purpose of Bill. According to the author, every winter, sewage and trash-laden storm water dislodges and carries thousands of waste tires from Tijuana to California through the Tijuana River channel and open culverts in the border fence. This flow of waste tires represents economic, environmental and public health challenges to California's border communities.
- 2) Waste Tires in California. According to the IWMB, California is faced with the challenge of diverting or safely managing more than 40.2 million reusable and waste tires generated annually in the state. IWMB staff estimates that of the approximately 40.2 million reusable and waste tires generated in 2004, approximately 30 million of the tires (74.6 percent) were

diverted through various alternatives, including reuse, retreading, and combustion.

Currently, the recycling markets in California do not consume all of the waste tires generated. Waste tires need to be stored safely until sufficient markets are in place to increase the consumption of waste tires. The IWMB provides the waste tire management framework by enforcing waste tire facility and waste tire hauler regulations. As the use of tires as material in commercial applications increases, illegal stockpiling and the need for permitted storage will decrease or cease to exist.

3) California's Tire Program.

- a) Funding: The California Tire Recycling Act authorized the creation of the Tire Recycling Program and the California Tire Recycling Management Fund. A fee is assessed on the sale of new tires, and collected revenue is deposited quarterly into the tire fund. The CIWMB allocates funds annually based on availability and changing program needs. The fee is currently \$1.75 for each new tire sold in the state. However, \$0.75 of the \$1.75 is transferred to the Air Pollution Control Fund for use by the Air Resources Board for air pollution activities. So, \$1.00 per tire is deposited into the Tire Fund for use by the IWMB for the tire related activities. There are approximately 33 million tires sold in California annually.
- b) Program Structure: California's waste tire management and recycling efforts are divided into two functional areas: tire permitting and enforcement activities, and tire recycling and market development activities. The tire permitting and enforcement activities ensure that reusable and waste tires are stored and transported safely. IWMB staff also coordinates with local and regional agencies to mitigate unsafe situations at existing abandoned tire pile sites and provide technical assistance. Tire recycling activities include offering financial assistance, engaging in recycling and marketing research, and providing technical assistance.
- c) Current Border Efforts at the IWMB: The IWMB supports activities in the border region, conducted in coordination with the California Environmental Protection Agency, that include: 1) dedicating a portion of the funding for the Local Government Waste Tire Cleanup Grant Program

for cleanups that occur along the California border region; 2) providing funding for a study of the tire flow to and from Mexico; 3) providing technical assistance for the development of an integrated waste tire management plan for the State of Baja California, Mexico; 4) providing training workshops for teachers on the environmental education curriculum titled *Conservation and Pollution Prevention at a Shared Border*; 5) providing training and technical support to Mexico tire haulers; and 6) participating in Border 2012 Task Force, Resource Conservation Challenge Border Group, and the 2008 Border Governors Conference. Specifically, the IWMB has recently approved contracts to: 1) study the flow of used and waste tires into Mexico; 2) develop school curricula for Mexican schools on the problem of waste tires; 3) develop a model waste tire management plan for municipal governments in Baja California; and 4) remediate tires in the Tijuana River Valley and install a trash boom system for nearby Goat Canyon to intercept trash and tires carried by floodwaters into California.

- 4) Challenges to Managing Tires in the Border Region. About 2 million waste and used tires are transported from California to Mexico. This is a legal practice and a market outlet for California tires. Tires that have usable tread are sold and reused. Others are used for inexpensive building materials and used as erosion control. However, many of those tires end up in illegal tire piles or otherwise improperly discarded on the Mexico side of the border. This poses public health and environmental challenges on both sides of the border. As mentioned above, the IWMB has been working on efforts to combat this problem.
- 5) Caution on Use of the Tire Fund in the Border Region. Use of the funds from the tire fee is restricted to just address tires on which the fee has been paid and within California. The use of the tire fee to manage tires in the border region raises legal challenges. The IWMB has not funded the remediation of tires from illegal piles in Mexico due to legal constraints. The fee was assessed on the material (tires) that pose a public health and environmental threat (illegal disposal and improper management) in California. However, this bill uses the argument that used tires from California make their way into Mexico only to become waste tires in a short period of time thus the funds should be available to address that issue.
- 6) SB 167 Legal Issues. The approach in this bill is that the funds may be used for “*Development of projects in Mexico in the California-Mexico border*”

*region, as defined by the La Paz Agreement, that include, but are not limited to, education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed in California. (emphasis added)''.*

This was carefully drafted to ensure that the funds could be used to address California tires in Mexico that are eventually disposed in California. While this clarifies the ability to use the funds on the Mexico side of the border, if this bill becomes law, caution must be exercised by the IWMB to ensure that the projects are consistent with the intent of the bill.

The author should continue to work with the IWMB to establish if additional amendments are needed to provide further clarity as to the types of projects that would be eligible and ways to determine that the tires involved are from California.

- 7) Amendment Needed: To correct a cross reference; on page 7, line#1 of the bill. Section 42855.5 should be Section 42885.5.

**SOURCE:** Senator Ducheny

**SUPPORT:** American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, Rubber Manufacturers Association

**OPPOSITION:** None on file



THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED: January 6, 2010 REPORT NO:  
ATTENTION: City Council  
SUBJECT: Proposed 2010 Legislative Program

SUMMARY:

The Intergovernmental Relations Department (IRD) is charged with developing the City's draft annual legislative program for approval by the City Council. The legislative program is the City's proactive list of legislative, budgetary or regulatory priorities for the upcoming year in both Sacramento and Washington D.C.

BACKGROUND:

As was the case the last three legislative efforts, specific criteria were used as a guide in establishing the City's 2010 legislative priorities:

1. Does the proposal provide significant revenues or funding opportunities to the City?
2. Does the proposal provide significant cost savings if enacted?
3. Does the proposal enhance public safety?
4. Does the proposal provide the City with greater ability or flexibility to provide municipal services to its citizens?

DISCUSSION:

While the continuing budget situation made the passage of state legislation difficult, the 2009 state and federal efforts can still be classified as successful. Despite the fact that bill limits were imposed and many important bills were not even getting hearings due to budget negotiations, the City saw 5 bills pass the legislature. IRD was able to secure passage of SB 167 which would allow money collected for tire waste to be used on projects in Mexico, SB 572 which recognized Harvey Milk Day and AB 599 which relieve California crime laboratories from double proficiency testing, outdated employee requirements, and lengthy approvals for laboratory use. Intergovernmental Relations was also able to secure the passage and Governor's signature for the Children's Pool Seal Legislation at a time when the Governor was refusing to sign any legislation. The City was also able to secure passage through the legislature of AB 1336 which would have allowed cameras on street sweepers to aid our storm water pollution prevention efforts only to have the bill vetoed by the Governor.

This year saw a long term goal of the City and region come to fruition--a statewide water package that included a workable plan for the Bay Delta. Because of the crisis in the Sacramento-San Joaquin Bay-Delta, the San Diego region and most of California is experiencing a serious water crisis that affects citizens and businesses alike. IRD actively and successfully lobbied, along with our regional partners, for the Bay-Delta bill package (SBX7-1) which provides an opportunity to overcome longstanding disagreements over the operation of the state's water system and restore water reliability in the Delta through construction of an alternative conveyance system. Eleven of the twelve members of the San Diego delegation supported at least parts of the package and were critical to its passage.

IRD partnered with California League of Cities and the Big 10 Cities to fight off a potential state raid of local funds. The coalition was successful in preventing a run on Highway User Tax Account (HUTA) funds that cities and counties use for transportation projects. The coalition was also successful in structure a Prop 1A loan and subsequent clean up legislation that resulted in full securitization of the lost property tax revenue. Unfortunately the State again raided redevelopment funds despite the fact that taking is being legally challenged. The State of California continues to run a significant deficit and we anticipate another year of budget fights and potential raids.

At the federal level, a tremendous amount of effort went into securing stimulus dollars for the City and the region in 2009. The City of San Diego can expect to see at least \$340 million in stimulus funding including \$49 million directly to the City and \$127 million to partner organizations including SANDAG, Workforce Partnership and the Metropolitan Transit System. These funds are in addition to the City's lobbying team successfully advocating for the \$185 million Federal Courthouse Project. While not ARRA driven, freeing up the funding for this project allows it to commence immediately and provide 2,000 construction jobs.

IRD's efforts on the border proved particularly successful. Stimulus money was directed to SR 905 and for new planning efforts for the Otay Mesa I Port of Entry. Combined with the funding secured through Prop 1B in 2007 for the SR 905 freeway and the \$195 million secured in 2008 for the expansion of the San Ysidro Port of Entry, the border zone will be better equipped to handle goods movement in the years to come. In addition, the City was able to secure emergency permitting for dredging the Tijuana River Valley as well as reimbursement from FEMA for some of the costs of that dredging. Additionally, the City has opened a dialogue with the Army Corps of Engineers about long term fixes for the Tijuana River Valley.

IRD was also able to secure additional funding for brush management, homeland security, transportation, affordable housing projects, as well as supporting the City in securing a new five year waiver for the Point Loma treatment plant and outfall. The Intergovernmental Relations Department recommends the City Council consider the following proposals and adopt them as the City's 2010 Legislative Program.

## **2010 LEGISLATIVE AND ADMINISTRATIVE SPONSORSHIP PRIORITIES**

### **Storm Water Pollution Prevention**

The City is required to comply with federal and state storm water pollution prevention mandates. In order to accomplish these requirements, the City needs to: a) develop a sustainable revenue source for the storm water pollution prevention program; b) remain in compliance with storm water regulations (Chollas Creek is identified as an impaired water body, and to meet expected TMDL requirements for copper, lead, zinc and bacteria will have a considerable financial impact to the City, and anticipated impacts to the Chollas Creek surrounding communities.); c) maximize the City's ability to win grants from existing funding programs; and d) decrease existing state regulations that impede maintenance of existing storm water facilities and/or impede the creation of new storm water facilities.

#### *Proposed Solutions:*

1. Seek legislation to regulate the content of copper in vehicle brake pads (this mobile source of copper pollutants has been identified as the most significant contributor of copper within the Chollas Creek watershed).
2. Seek state and federal funding for storm water pollution prevention programs and City CIP.
3. Seek federal legislation to create a trash cleanup fund for border regions.
4. Continue to work with Army Corps of Engineers and other appropriate state and federal agencies to secure funding and improvements to the Tijuana River Valley.

### **Water Reliability**

As the provider of safe drinking water to San Diegans, it is a continued priority to ensure the adequate availability of safe drinking water. While the City of San Diego will continue to work with the San Diego County Water Authority, our regional water partner, there are actions that the City can pursue at the state and federal level to better manage water supplies within the region and also to increase water supplies available from outside the region.

Additionally, the State's regional boards are inconsistent in their application of reuse standards/regulations thereby creating regulatory obstacles. Where feasible, the City should pursue legislative and administrative actions to help decrease the regulatory costs associated with infrastructure projects.

#### *Proposed Solutions:*

1. California's Clean Water Act Section 303(d) List – Drinking source water reservoirs: Highly managed man-made impoundments designed for the storage of drinking source water shall be distinguished from natural water bodies in the state board's biannual Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List and shall have unique water quality objectives represented in each region's Water Quality Control Plan(s).
2. Support legislation that resolves potential constitutional conflicts for the State's contribution to the mitigation requirements of the water transfer agreements due to the recent Quantification Settlement Agreement legal decision.



3. With the success of the authorization for the four reservoir intertie feasibility study, seeking an appropriation for the funding of that study shall be a priority for the City. The project, once constructed, will provide San Diego with a better ability to manage its surface storage capacity, enabling raw water to be transferred within the system to improve efficiencies.
4. Seek clean-up legislation related to the language in SBX7 7 to assure that the City's Indirect Potable Reuse water produced will be deducted from the City's gallons per capita per day calculation for purposes of meeting the state's 20x2020 requirement.
5. Support legislative efforts, related to the previously passed water package, to provide additional benefit or opportunities for the City from regulations or funding categories previously adopted.
6. Seek state legislation to establish a tax credit or rebate program for reclaimed water retrofit costs. This would be a similar program to what is offered to utility customers who install systems that generate solar powered electricity.
7. Seek legislation that will enable greater individual metering, allow sub-metering and/or advance automatic meter reading to enhance water conservation

### **Transportation, Airport and Border Funding**

At the federal level, 2010 promises to be a unique opportunity to secure major transportation infrastructure dollars for the City of San Diego. In addition to the economic stimulus package, the federal government will begin discussion of their next Transportation Reauthorization, their next Airport Reauthorization and potentially major Rail legislation. IRD has already opened discussions with SANDAG to strategize how best to ensure our fair share of these dollars.

As noted earlier, the City strives to reduce the economic impact of border wait times and protect and enhance the binational region's global competitiveness while maintaining secure and efficient ports of entry. As a result of the regions success in securing border project funding the City and SANDAG are poised to launch several major projects within the border zone.

#### *Proposed Solutions:*

1. Seek Transit, Highway and Rail Funding in the transportation reauthorization.
2. Seek rail and high-speed rail money for the San Diego region including funds for grade separations.
3. Seek federal legislation which would allow CEQA Environmental Impact Reports to serve in place of NEPA EIR's for federal projects.
4. Seek federal funding for the state of California's Goods Movement Action Plan.
5. Advocate for another round of funding from the Department of Transportation for the Urban Partnership Agreement program while simultaneously working with our regional partners to develop a competitive proposal.
6. Continued advocacy on San Ysidro Port of Entry expansion, Otay Mesa II Port of Entry and seek additional funding for expansion of Otay Mesa I Port of Entry.

### **San Diego Fire Protection**

While significant progress has been made, fire fighting capabilities have been underfunded for some time compared to the population growth local governments across California have experienced.

Additionally, while brush management is not a silver bullet to fight wildfires, it does help by decreasing fuel loads and providing more defensible space.

*Proposed Solutions:*

1. Seek state and federal funding for local and regional firefighting equipment.
2. Seek legislation that would enable insurance fees to be levied to enhance fire protection.
3. Continue to seek brush management funding at the federal level.

**Budget and Infrastructure Proposals**

While a federal bailout for the state or local governments is highly unlikely, there are legislative and administrative remedies that IRD can pursue to help with the City's budget crisis.

1. Seek Federal support for local infrastructure projects and enhanced public safety.
2. Continue to advocate for state budget solutions which leave local governments whole while remedying the state's budget crisis.
3. Seek legislation which provides tax breaks and incentives for local government bonding, as well as supporting other federal mechanisms to relieve local government fiscal distress.
4. Seek legislation to allow for distribution of port revenues generated by maritime operations to local governments that experience economic, social and environmental impacts caused by maritime operations.

**Economic Development**

The City of San Diego has received federal Renewal Community (RC) designation; a program which provides federal income tax incentives for investment in older neighborhoods with small business properties, making the business community a key partner in inner city revitalization. The designation has had a positive impact in stimulating new investment and job creation in areas that have historically experienced disinvestment and blight.

A key neighborhood that was included in the City's application for RC designation was disqualified for a technical reason. The census tracts in this neighborhood were excluded because they are separated from the rest of the RC by a small gap, violating the RC law's requirement of a "continuous boundary." The excluded neighborhood, City Heights, encompasses a third of the application area's population and is an area of poverty, unemployment, distress, and crime.

An additional avenue to spur economic development and jobs would be to seek funding and legislation which supports the City's burgeoning clean tech industry. In particular, the City should seek to foster the economic sector that will be generated by the City's Property Assessed Clean Energy Program.

*Proposed Solutions:*

1. Seek federal legislation to amend the definition of "continuous boundary" to permit HUD to include census tracts that are adjacent to each other, rather than continuous.

2. Seek federal funding for regional economic cluster planning to aid economic development within the City of San Diego.
3. Seek legislation that would site a clean energy research headquarters here in San Diego.
4. Seek funding for the City of San Diego, other partner public agencies that could be used for clean energy projects, smart grid and energy efficiency.
5. Seek federal legislation that would allow cities to issue non-taxable municipal bonds for Property Assessed Clean Energy Programs like the City's Clean Generation Program.
6. Seek legislation at the state and federal level which would provide direct incentives and/or ease barriers for private funding for companies and other entities engaged in bio-fuel research, development, and commercialization.
7. Seek federal and state legislation which would provide consumer and business tax incentives for companies engaged in the manufacturing or development of clean technologies.

### **Housing and Planning**

IRD hopes to build on recent success in securing planning and housing money by partnering with the Redevelopment Agency, the Housing Commission and SANDAG to undertake several housing initiatives.

#### *Proposed Solutions:*

1. Seek additional state and federal funding the Neighborhood Stabilization Program, homeless services, veterans housing and other affordable housing projects.
2. Seek federal legislation and programming that creates grant funding for smart growth planning and transit oriented development.

### **Homeland Security Funding/Eligibility for UASI Program**

Since January 2007, the Department of Homeland Security has consistently included San Diego as an urban area eligible to apply for Urban Area Security Initiative funding.

#### *Proposed Solution:*

1. Continue efforts to ensure San Diego remains on the high risk urban area list and eligible for the UASI program. Efforts may include working directly with the Department of Homeland Security to ensure data collection and risk assessment methodology that benefits San Diego or potential federal legislation which substantially increases the region's likelihood of remaining eligible.
2. Advocate for stable or increased funding of the UASI program.

### **Public Safety and Gang Prevention**


Criminal gang activity continues to be a persistent problem throughout the City of San Diego and the nation. Numerous attempts at establishing funding programs and crafting legislation to proactively address gang involvement as well as suppression activities have been introduced and enacted at both the state and federal level.

This past year the Council directed Intergovernmental Relations to seek legislation that would allow cities to better regulate pedicabs within their local jurisdictions.

*Proposed Solution:*

1. IRD, in close cooperation with the Commission on Gang Prevention and Intervention, will pursue legislative and budgetary opportunities for the City to continue and/or expand its current prevention and intervention activities. IRD will also continue to assist in the pursuit of grant funds from existing and newly created opportunities at both the state and federal government.
2. Seek legislation that would allow cities to regulate pedicabs.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

  
\_\_\_\_\_  
Originating Department  
Job Nelson  
\_\_\_\_\_  
Chief of Staff  
Kris Michell



Border Environment Cooperation Commission

Comisión de Cooperación Ecológica Fronteriza



C10560/ADM2009

April 17, 2009

Serge Dedina, Ph.D.  
WiLDCOAST Executive Director  
925 Seacoast Dr.  
Imperial Beach, CA 91932, USA

Dear Doctor Dedina:

The Border Environment Cooperation Commission (BECC) would potentially be able to assist the California Integrated Waste Management Board through the certification of viable bi-national projects to deal with the appropriate disposal and management of waste tires along the California-Mexico border. The BECC is an international organization created pursuant to the Agreement between the government of the United States of America and the United Mexican States concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank, signed November 16 and 18, 1993, and amended through Protocol of Amendment signed November 25 and 26, 2004.

The purpose of the BECC is to help preserve, protect and enhance the environment of the border region in order to advance the well being of the people of the United States and Mexico. The border region is defined as the area in the United States that is within 100 kilometers of the international boundary between the United States and Mexico, and the area in Mexico that is within 300 kilometers of the international boundary between the United States and Mexico.

Over the last 15 years BECC has acquired specific insight of the environmental and human health problems of the Border Region. With the cooperation of United States and Mexican Federal agencies and in partnership with state and local authorities, BECC has been able to confront many of the environmental issues affecting the Border Region. BECC is permitted to provide technical assistance for the development of environmental infrastructure projects along the border region to local and state agencies and governments, as well as to authorize non-governmental entities. By developing water, wastewater, solid waste, air quality and alternative energy infrastructure projects, among others, BECC has been able to contribute to solving environmental problems with Trans-boundary effects, and as a result improve the border region environment. As a requirement of the development of these projects BECC ensures that all regulatory requirements and standards, as established by each agency, are fulfilled.

In order to carry out its purpose, BECC is authorized to administer funding from both nations, and currently manages several bi-national programs and grants funded by the United States Environmental Protection Agency (USEPA). As such, BECC is interested in associating with other entities, including the State of California, on projects to improve the environment of the US-Mexico border.

The BECC appreciates your commitment to improve the welfare of the border region through the conservation, protection and improvement of the environment in a sustainable manner.

Sincerely,

Daniel Chacón Anaya  
General Manager

Cc. Maria Elena Giner, General Deputy Manager, BECC  
Cc. File





# Watchdog report: Tire trouble knows no borders

Allegedly recycled material ends up piling up as waste

BY MIKE LEE

MONDAY, DECEMBER 29, 2008 AT 2 A.M.

When rains pound Tijuana, thousands of tires fill the torrents of sewage and trash that stream north across the international border.

Most of the tires are from California, where residents pay more than \$60 million a year for safe disposal and recycling. Still, countless numbers land in Mexico through legal and illicit channels.

Federal and California waste officials blame each other, poor research and financial constraints for the cross-border tire mess.

An investigation by The San Diego Union-Tribune has found they aren't doing nearly enough to fix a problem that mainly affects middle-class and low-income residents who live far from most of the decision-makers.

"It's a lot easier to point the finger at Mexico, which doesn't solve the problem at all," said Oscar Romo, who teaches urban studies at the University of California San Diego.

Through interviews and documents, the Union-Tribune identified many flaws in the system. They include:

- San Diego County's lack of a tire-recycling facility, even though tire disposal problems have been known for at least 20 years.

- A state tire-recycling fund that has grown to \$42 million while potential solutions lack money.

- California's ban against spending tire-recycling money in Mexico, even when such funding ultimately would benefit the state by reducing tire piles that fuel large fires or become breeding grounds for mosquitoes.

- Ineffective rules targeting illegal tire exports from California and spotty enforcement of those rules that leave regulators fuzzy about how many tires are sent to Mexico.

Both the United States and Mexican governments could devote more resources to the tire issue, said Christina Buchanan at San Diego's Local Enforcement Agency, which regulates solid waste in the city.

"Millions of waste tires . . . are accumulating along the Mexican border because of inadequate infrastructure for their regulation, recycling or disposal," Buchanan said.

California residents discard an average of more than one tire per person each year – about 44 million in all.

Roughly three-quarters of those tires go toward what regulators call productive uses, such as making rubberized asphalt, creating erosion-control products or covering landfill garbage. This recycling rate is more than twice what it was in 1990, but it is much lower than the national rate of 87 percent.



Ben McCue of Wildcoast inspected debris that flowed from Tijuana to San Diego after a storm. (John Gibbins / Union-Tribune)

The remaining 11 million tires a year are destined for dumps, vacant lots or illegal export.

Air-pollution rules and public opposition to tire burning have limited California's ability to reuse tires as fuel. Nationwide, about half of the discarded tires become feedstock for industrial boilers and similar uses.

Many old tires from San Diego County are hauled to Los Angeles County for recycling, only to be trucked back through the region to Baja California for legal or unlicensed resale.

Tires from the United States are valued because they tend to have more tread left on them than old tires used only in Mexico.

Californians send about 800,000 tires annually to Mexico through legal channels. Waste experts suspect that hundreds of thousands more are exported illegally.

"People know that they can get a good price for them in Mexico. . . . Apparently, they are not that hard to smuggle," Buchanan said.

She singled out Otay Mesa, where auto-dismantling shops routinely hand off tires to shadowy figures who skirt the law by taking small loads to Mexico. California only requires registration and other documentation from people who transport 10 or more tires, a provision that Buchanan said benefits illegal haulers.

She and other regulators inspect tire-handling and hauling businesses to see whether they are meeting codes.

State waste officials acknowledge gaps in their supervision. In a report last year, they said that "effectively addressing all enforcement issues . . . continues to be a concern."

Despite major shortcomings in the tire-recycling system, federal and California officials touted their border cleanup accomplishments in August.

The U.S. Environmental Protection Agency announced that thanks to cooperation between U.S. and Mexican agencies, 4 million tires had been removed from the border region since 2003. Regulators from both countries agreed to consider more steps for further reducing waste tires.

"The solutions will come if there are laws and regulations and funding on the Mexican side," said EPA waste expert Emily Pimentel.

In California, tire-recycling efforts have languished despite the tens of millions of dollars that residents pay each year when they replace old tires.

Consumers pay a state-mandated \$1.75 per new tire that's commonly listed as a disposal or recycling fee. That description is only partly accurate.

The state's Air Resources Board collects 75 cents from each fee to fight air pollution. The rest goes to the state's Integrated Waste Management Board for clearing piles of waste tires, researching ways to reuse old tires, developing markets for tire scrap and regulating tire storage and hauling.

The fee doesn't directly cover the cost of recycling tires that customers leave at shops. Some vendors charge an additional \$2 or more in the name of doing so.

"Almost all tire shops will tell you it's a recycling fee. . . . But at least in San Diego County, at least half of those (tires) are going to end up in landfills," Buchanan said.

## REUSE OPTIONS

### Old tires can be turned into:

- Rubberized asphalt
- Fuel for cement kilns
- Erosion-control products
- Athletic tracks and fields
- Playground covers
- Doormats
- Fuel for power production
- Retread tires

## REDUCING WASTE TIRES

- Maintain proper air pressure in tires
- Buy tires that promise higher mileage
- Purchase retread tires
- Buy other products made from the rubber of old tires

## TIRE DISPOSAL: BY THE NUMBERS

**44 million:** Waste tires generated annually in California

**33 million:** Tires recycled or reused per year

**300,000:** Tires sent to local landfills each year

**0:** Tire - recycling facilities in San Diego County

**SOURCES:** *California Integrated Waste Management Board; San Diego County*

In recent years, the state's waste board has collected millions more in tire fees than it has spent. The result: The fund has ballooned to roughly \$42 million from less than \$1 million in fiscal 2001, when fees were increased.

The current balance doesn't include a \$17 million loan that the waste board made to the state's general fund in fiscal 2004. The money is supposed to be repaid by mid-2009, but it is unclear if that will happen because of California's budget crisis.

Last year, the nonpartisan Legislative Analyst's Office raised questions about the tire fund.

"The waste tire program appears to be in a holding pattern," it said. "Despite large initial gains in waste tire diversion, in recent years, both the diversion rate and the number of waste tires deposited into the state's landfills . . . have remained relatively constant."

Waste board officials said the fund has grown because the Legislature has limited how much the agency can spend regardless of what it collects. Jordan Scott of the waste board wouldn't say whether the board is aggressively seeking to free up more money.

California's large tire-fund reserve frustrates local waste and environmental officials who want more dollars spent on turning old tires into useful products.

"I would like to see that money, on a percentage basis, come back to San Diego County. That is just a reasonable thing," said Wayne Williams, a recycling coordinator for the county.

The recycling options include grinding up tires and adding them to asphalt, making what local road officials said is a quieter and more durable surface. In San Diego County, about 37 miles of road have been paved with rubberized asphalt and 23 more miles are in the works.

Several waste experts said the region's top need is a tire-recycling facility.

Bonsall entrepreneur David Willis is trying to win state grants and obtain final approvals for what would be the county's first such plant.

The facility would be housed in an existing industrial building in Vista. Willis hopes that by late spring, he will be shredding about 1.1 million tires a year and selling the material mainly for paving local roads.

The startup process has been arduous, he said, because the business needs multimillion-dollar machines and numerous permits.

In the nonprofit sector, the environmental group Wildcoast in Imperial Beach is battling the recurrence of tires washing up in the border region after each storm.

In June and October, Wildcoast volunteers helped to collect tons of tires from the Tijuana River Valley County Park. The tires were stored on county land, where they remain while park officials seek a state grant to pay for their removal.

After a storm during Thanksgiving week, the spot that Wildcoast and other groups had cleaned became waist-deep in debris – including more tires.

Ben McCue, a Wildcoast activist, wants the state to start spending money to reduce the waste-tire problem from the Tijuana end. McCue is talking with local legislators about proposed programs such as teaching residents how to prevent the tires that they use to build retaining walls and home foundations from washing away during storms.

It could be a tough sell in California's budget-weary Capitol. McCue remains hopeful that he can convince politicians they can save money and help the environment by short-circuiting the waste-tire cycle.

"It's just a matter of if it's the right time or if we have to wait a little longer," he said.



# University of San Diego NEWS CENTER

Friday, October 23, 2009

## Nonprofit Students' Class Project Becomes State Law

Most graduate level courses at the University of San Diego have some component that requires students to work together on a project to explore an issue or solve a problem. Rarely, however, does that project become California law.



That was the case for students in an Advocacy class taken last year through the School of Leadership and Education Sciences' Institute for Nonprofit Education and Research. They identified a problem, saw the big picture and moved into action to get it resolved. That meant enlisting the help of area elected officials, lobbying at the state capitol, and eventually, witnessing the passage of Senate Bill 167, which allows the state to dedicate funds to prevent cross-border tire pollution.

Along the way, students had to learn what it takes to get a bill authored, pass it through the California legislature and get it signed by the governor.

"I pitched the tire idea one evening to the rest of the class and it stuck," said Ben McCue, a student in the program. "Working along the San Diego-Tijuana border region I was always impressed by the number of discarded automobile tires. They are everywhere. Sometimes they serve functional purposes, as in foundations for houses or erosion control, but more often they have negative impacts."

McCue manages the border program for WiLDCOAST, a local environmental nonprofit agency in Imperial Beach. He's seen tires that literally blanket the Tijuana River Valley. With a little research, the students discovered the root of the problem. They found that millions of used tires from California are exported to Mexico every year, however many wash back into San Diego during storms.

"The environmental, health and economic impacts of this tire cycle are giant," McCue said. "We found that, as Californians, we often pay up to three times to dispose of a single tire."

McCue worked with students Adina Veen, Jennifer Martin, Benny Cartwright, and Maureen Guarcello on the project. They called it Breaking the Tire Cycle. The Border Tire Bill, authored by Sen. Denise Ducheny, D-San Diego, allows California to use funds collected for tire recycling on reuse, mitigation and education projects in Mexico with a goal to end pollution by thousands of used tires each year.

McCue said it was empowering for students see their coursework put into action.

"It is incredible to think that our class assignment was signed into law," he said. "For me, the big take-away is a deeper understanding of our democratic process and our ability, as citizens, to effect change. To me, the Advocacy class represents what the University of San Diego is all about: applying theory to real-life challenges and creating change."

– Denise T. Ward



## Imperial Beach group helps pass tire bill

BY [MIKE LEE](#), UNION-TRIBUNE STAFF WRITER

TUESDAY, OCTOBER 13, 2009 AT 2 A.M.

**IMPERIAL BEACH**— Environmentalists praised Gov. Arnold Schwarzenegger for signing a bill Sunday that lets the state's solid waste agency spend money on projects in Mexico aimed at reducing the number of old tires polluting the border area.

Sen. Denise Ducheny, D-San Diego, sponsored Senate Bill 167 to address the environmental hazards created by thousands of used tires that wash into San Diego County during storms. The legislation frees up fees collected for tire recycling so they can fund programs designed to keep tires in Mexico from entering California's waste stream.

"(It) will allow California to work upstream in Tijuana, at the root of the problem, to stop the flow of used tires," said Ben McCue of the conservation group WILDCOAST in Imperial Beach. "This is a victory for the environment and a great deal for California taxpayers."

McCue helped write the bill as part of a graduate school program at the University of San Diego. He and his classmates lobbied for its passage in Sacramento.



BY AMY ISACKSON  
OCTOBER 13, 2009

## New Law Hopes To Break Border Tire Cycle



CREDIT: WILDCOAST

Above: Volunteers clean up tire debris in the Tijuana River Valley. New legislation has been passed to curb the influx of recycled tires from Mexico.

A new law will allow California to help fund recycling and reuse programs for discarded tires in Mexico. California ships millions of discarded tires to Mexico annually, thousands of which flow back across the border as litter to San Diego.

California's Integrated Waste Management Board sends millions of tires to Mexico every year to keep them out of California landfills. Many drivers in Mexico wring more road life out of the old tires before finally throwing them out. People also use the discarded tires to build structures like retaining walls and staircases. Come rainy season, thousands of those tires wash back into California.

Ben McCue is with the conservation group Wildcoast, which sponsored the bill. He said its aim is not to stop old tires from being exported to Mexico or used for building projects. "But

knowing that market exists and the export will continue, how can we deal with the downstream impacts," he said.

California's tire fund balance is approximately \$40 million. McCue suggests some of the money could go towards projects like teaching people to build tire walls that don't wash away and making old tires into pavement.

December 14, 2009

Dear Friend:

Sometimes I feel we're like the train in the children's book, *The Little Engine that Could*. Do you remember the story about the little train climbing up the mountain who said over and over "I think I can, I think I can" until he made it over the crest of the hill?

With your help, the Institute for Nonprofit Education and Research has been like that little engine for some time now. Our climb up the hill – from our singularly ambitious beginning in 2002 as a masters program in Nonprofit Leadership and Management, to the establishment of our research center and doctoral specialization in Nonprofit/Philanthropic studies – has led us to become one of the premier nonprofit academic programs in the world. It's been an exciting (and sometimes dizzying) ascent that would not have been possible without the generous financial contributions and hard work of so many amazing volunteers, faculty and staff. Thank you!

Although we haven't reached the summit yet, this past six months has been notable for some remarkable achievements.

With regard to the masters program, our students have now completed **more than 500 applied projects** for nonprofit organizations throughout San Diego County and beyond. The projects have ranged in type from board manuals to revised by-laws, fundraising proposals, community organizing plans, program designs, etc. – in short, they are a direct result of the hands-on learning component that is embedded within our curriculum.

**A study of the impact of those projects** conducted by Heather Carpenter, one of our doctoral students, with assistance from SOLES director of assessment support, Paula Krist, found they were used extensively by the nonprofits for which they were designed. The study also inspired some new thinking about how we can systematically assess the ways nonprofits perceive and make use of our student's work. If you'd like to see some examples of these projects, visit the **Best Practices link** on our website. You'll find the study posted there as well.

One of the most remarkable student projects completed this fall involved the **passage of an important piece of legislation** that was spearheaded by a group of five masters students enrolled in our Advocacy course. The bill, **AB 167**, allows California to dedicate resources to preventing cross-border tire pollution. Storm water flows carry more than 1,000 waste tires every year across the border from Tijuana into California, creating significant environmental, public health

and economic impacts. The students deemed the most efficient and cost-effective way to deal with these waste tires was to develop cooperative projects in the Mexican portion of the bi-national Tijuana River Watershed; because of the work of these SOLES students, AB 167 makes such cooperation possible. This bill is the third piece of legislation students enrolled in Advocacy have helped pass since the course was first offered.

Our research center, The Caster Family Center for Nonprofit Research, now headed by Dr. Laura Deitrick, continues to be sought after for a wide variety of organizational development and research projects. Laura embodies the best of what we refer to as a “pracademic”. She has experience as an effective nonprofit CEO, is a talented professor, and has the wide-ranging methodological expertise needed to conduct breakthrough research on the sector. She played a major role in the development of the Center all while conducting her doctoral studies at USD. I honestly can’t imagine anyone better suited to the task of overseeing its’ work.

Laura and her team of **six doctoral students** – Melanie Hitchcock, Lindsey McDougale, Tom Cesarini, Heather Carpenter, Taylor Roberts and Bethan Theunissen – are working with professors Fred Galloway and Mary McDonald on a variety of projects. One of the most exciting is a new partnership with **Luth Research** to measure **awareness and confidence in the local sector** on a quarterly basis and how it might change in response to Step-Up San Diego’s promotional efforts. The research center team along with Dr. Robert Donmoyer and me led seven separate presentations at the **ARNOVA** conference last month.

Bob, in his role as director of the Nonprofit doctoral specialization as well as our representative to the **Nonprofit Academic Centers Council**, was instrumental in securing San Diego as the site of the **Benchmark 3.5 Conference on Nonprofit and Philanthropic Studies** which will be held here in Spring 2011. The international conference will look at the how the field has been shaped during the past 35 years, its current status and discuss where it is headed.

Mary, who is enjoying getting to know the many San Diego nonprofits as she settles into her new home, is anticipated to be a major contributor to the Benchmark event. Her national work is focused on **mapping the nonprofit course content** in relation to the curriculum guidelines produced by the Nonprofit Academic Centers Council. She’s also working on the **Foundation Center’s Diversity Metrics Initiative** which is designed to assess the viability of establishing field-wide standards for assessing how foundations work in a diverse and inclusive way.

Lastly, we are hosting our Sixth Annual Nonprofit Governance Symposium on Friday and Saturday, January 8-9, 2010. We’ve cooked up some exciting seminars and anticipate a sold-out crowd.

As we continue our climb to the summit, the crest is in view! I know we’ll get there with your continued support.

Our wish list for 2010 is for more scholarship money for both our masters and doctoral students. Due to our growing national and international reputation, we are attracting many more prospective students to our graduate programs and need increased scholarship funding to help sponsor their studies. Please know too that our alums are doing their part to contribute. More

than 90% have made a contribution to the program and 25% have made multi-year pledge commitments.

We are also looking for sponsors to underwrite a variety of research projects. Practitioners throughout San Diego draw upon the work of the Caster Center for making data driven, strategic decisions to guide their nonprofit organizations. Growing audiences at our various symposia attest to the desire for practitioners to have access to this type of critically important information.

As we close out this year, I hope you will consider a new gift to the Institute. Please call me at (619) 282-8875 if you'd like to talk further about our plans for 2010.

Best wishes,

Pat Libby  
Clinical Professor, Director  
Institute for Nonprofit Education and Research

**Senate Bill No. 167**

\_\_\_\_\_

Passed the Senate May 14, 2009

\_\_\_\_\_

*Secretary of the Senate*

\_\_\_\_\_

Passed the Assembly September 9, 2009

\_\_\_\_\_

*Chief Clerk of the Assembly*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_

*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to amend Sections 42885.5 and 42889 of the Public Resources Code, relating to solid waste.

## LEGISLATIVE COUNSEL'S DIGEST

SB 167, Ducheny. Solid waste: waste tires.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is used, upon appropriation by the Legislature, for the purposes of programs related to waste tires. The act requires the California Integrated Waste Management Board to adopt a 5-year plan, which is to be updated biennially, to establish goals and priorities for waste tire programs that include, among other things, specified border region activities, conducted in coordination with the California Environmental Protection Agency, related to waste tires in the California-Mexico border region.

This bill would, additionally, require the 5-year plan to include, as a border activity, the development of projects in Mexico in the California-Mexico border region, including education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed of in California.

The bill would authorize the board, upon appropriation by the Legislature, to use the revenues generated from the California tire fee to fund border activities.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) According to the California Integrated Waste Management Board's Five Year Plan for the Waste Tire Recycling Management Program, Fourth Edition, issued on July 1, 2007, nearly 2.3 million reusable and waste tires were exported from California with many of the tires exported to Mexico.

(b) Many of the tires exported to Mexico have a very short life span and are illegally disposed of or are used inappropriately for

structural purposes in shanty towns and colonias in or near the City of Tijuana, Mexico.

(c) Illegally disposed tires on the Mexico side of the border have caused environmental issues in California, such as tires entering into the Tijuana Estuary and smoke from tire fires in Mexicali dispersing into Calexico.

(d) During the wet weather months, stormwater carries thousands of waste tires back across the border from Tijuana into California through the Tijuana River channel and open culverts in the border fence.

(e) Waste tires from Tijuana blanket the sensitive ecosystems of the Tijuana River Valley, Estuary, and Border Field State Park. Approximately 80,000 pounds of tires are removed by hand each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve.

(f) Waste tires that cannot be removed serve as breeding grounds for mosquitoes, viruses, and rodents threatening the public health.

(g) Federal, state, and local agencies spend between five dollars (\$5) and thirteen dollars (\$13) to excavate each tire that is ultimately deposited in a California landfill.

(h) It is more efficient and cost effective to work directly with agencies in Baja California to invest in, and develop cooperative recycling and reuse projects, mirroring the effective waste tire programs in California.

SEC. 2. Section 42885.5 of the Public Resources Code is amended to read:

42885.5. (a) The board shall adopt a five-year plan, which shall be updated every two years, to establish goals and priorities for the waste tire program and each program element.

(b) On or before July 1, 2001, and every two years thereafter, the board shall submit the adopted five-year plan to the appropriate policy and fiscal committees of the Legislature. The board shall include in the plan, programmatic and fiscal issues including, but not limited to, the hierarchy used by the board to maximize productive uses of waste and used tires, and the performance objectives and measurement criteria used by the board to evaluate the success of its waste and used tire recycling program. Additionally, the plan shall describe each program element's

effectiveness, based upon performance measures developed by the board, including, but not limited to, the following:

(1) Enforcement and regulations relating to the storage of waste and used tires.

(2) Cleanup, abatement, or other remedial action related to waste tire stockpiles throughout the state.

(3) Research directed at promoting and developing alternatives to the landfill disposal of waste tires.

(4) Market development and new technology activities for used tires and waste tires.

(5) The waste and used tire hauler program and manifest system.

(6) A description of the grants, loans, contracts, and other expenditures proposed to be made by the board under the tire recycling program.

(7) Until June 30, 2010, the grant program authorized under Section 42872.5 to encourage the use of rubberized asphalt concrete technology in public works projects.

(8) Border region activities, conducted in coordination with the California Environmental Protection Agency, including, but not limited to, all of the following:

(A) Training programs to assist Mexican waste and used tire haulers to meet the requirements for hauling those tires in California.

(B) Environmental education training.

(C) Development of a waste tire abatement plan, with the appropriate government entities of California and Mexico.

(D) Tracking both the legal and illegal waste and used tire flow across the border and recommended revisions to the waste tire policies of California and Mexico.

(E) Coordination with businesses operating in the border region and with Mexico, with regard to applying the same environmental and control requirements throughout the border region.

(F) Development of projects in Mexico in the California-Mexico border region, as defined by the La Paz Agreement, that include, but are not limited to, education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed of in California.

(c) The board shall base the budget for the California Tire Recycling Act and program funding on the plan.

(d) The plan may not propose financial or other support that promotes, or provides for research for the incineration of tires.

SEC. 3. Section 42889 of the Public Resources Code, as amended by Section 26 of Chapter 696 of the Statutes of 2008, is amended to read:

42889. (a) Commencing January 1, 2005, of the moneys collected pursuant to Section 42885, an amount equal to seventy-five cents (\$0.75) per tire on which the fee is imposed shall be transferred by the State Board of Equalization to the Air Pollution Control Fund. The state board shall expend those moneys, or allocate those moneys to the districts for expenditure, to fund programs and projects that mitigate or remediate air pollution caused by tires in the state, to the extent that the state board or the applicable district determines that the program or project remediates air pollution harms created by tires upon which the fee described in Section 42885 is imposed.

(b) The remaining moneys collected pursuant to Section 42885 shall be used to fund the waste tire program, and shall be appropriated to the board in the annual Budget Act in a manner consistent with the five-year plan adopted and updated by the board. These moneys shall be expended for the payment of refunds under this chapter and for the following purposes:

(1) To pay the administrative overhead cost of this chapter, not to exceed 6 percent of the total revenue deposited in the fund annually, or an amount otherwise specified in the annual Budget Act.

(2) To pay the costs of administration associated with collection, making refunds, and auditing revenues in the fund, not to exceed 3 percent of the total revenue deposited in the fund, as provided in subdivision (c) of Section 42885.

(3) To pay the costs associated with operating the tire recycling program specified in Article 3 (commencing with Section 42870).

(4) To pay the costs associated with the development and enforcement of regulations relating to the storage of waste tires and used tires. The board shall consider designating a city, county, or city and county as the enforcement authority of regulations relating to the storage of waste tires and used tires, as provided in subdivision (c) of Section 42850, and regulations relating to the hauling of waste and used tires, as provided in subdivision (b) of Section 42963. If the board designates a local entity for that

purpose, the board shall provide sufficient, stable, and noncompetitive funding to that entity for that purpose, based on available resources, as provided in the five-year plan adopted and updated as provided in subdivision (a) of Section 42885.5. The board may consider and create, as appropriate, financial incentives for citizens who report the illegal hauling or disposal of waste tires as a means of enhancing local and statewide waste tire and used tire enforcement programs.

(5) To pay the costs of cleanup, abatement, removal, or other remedial action related to waste tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with the board. Not less than six million five hundred thousand dollars (\$6,500,000) shall be expended by the board during each of the following fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

(6) To make studies and conduct research directed at promoting and developing alternatives to the landfill disposal of waste tires.

(7) To assist in developing markets and new technologies for used tires and waste tires. The board's expenditure of funds for purposes of this subdivision shall reflect the priorities for waste management practices specified in subdivision (a) of Section 40051.

(8) To pay the costs associated with implementing and operating a waste tire and used tire hauler program and manifest system pursuant to Chapter 19 (commencing with Section 42950).

(9) To pay the costs to create and maintain an emergency reserve, which shall not exceed one million dollars (\$1,000,000).

(10) To pay the costs of cleanup, abatement, or other remedial action related to the disposal of waste tires in implementing and operating the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program established pursuant to Chapter 2.5 (commencing with Section 48100) of Part 7.

(11) To fund border region activities specified in paragraph (8) of subdivision (b) of Section 42885.5.

(c) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2015, deletes or extends that date.

SEC. 4. Section 42889 of the Public Resources Code, as amended by Section 27 of Chapter 696 of the Statutes of 2008, is amended to read:

42889. Funding for the waste tire program shall be appropriated to the board in the annual Budget Act. The moneys in the fund shall be expended for the payment of refunds under this chapter and for the following purposes:

(a) To pay the administrative overhead cost of this chapter, not to exceed 5 percent of the total revenue deposited in the fund annually, or an amount otherwise specified in the annual Budget Act.

(b) To pay the costs of administration associated with collection, making refunds, and auditing revenues in the fund, not to exceed 3 percent of the total revenue deposited in the fund, as provided in subdivision (b) of Section 42885.

(c) To pay the costs associated with operating the tire recycling program specified in Article 3 (commencing with Section 42870).

(d) To pay the costs associated with the development and enforcement of regulations relating to the storage of waste tires and used tires. The board shall consider designating a city, county, or city and county as the enforcement authority of regulations relating to the storage of waste tires and used tires, as provided in subdivision (c) of Section 42850, and regulations relating to the hauling of waste and used tires, as provided in subdivision (b) of Section 42963. If the board designates a local entity for that purpose, the board shall provide sufficient, stable, and noncompetitive funding to that entity for that purpose, based on available resources, as provided in the five-year plan adopted and updated as provided in subdivision (a) of Section 42885.5. The board may consider and create, as appropriate, financial incentives for citizens who report the illegal hauling or disposal of waste tires as a means of enhancing local and statewide waste tire and used tire enforcement programs.

(e) To pay the costs of cleanup, abatement, removal, or other remedial action related to waste tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with the board. Not less than six million five hundred thousand dollars (\$6,500,000) shall be expended by the board during each of the following fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

(f) To fund border region activities specified in paragraph (8) of subdivision (b) of Section 42885.5.

(g) This section shall become operative on January 1, 2015.

Approved \_\_\_\_\_, 2009

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*Governor*



# BREAKING THE TIRE CYCLE

*pollution has no borders*



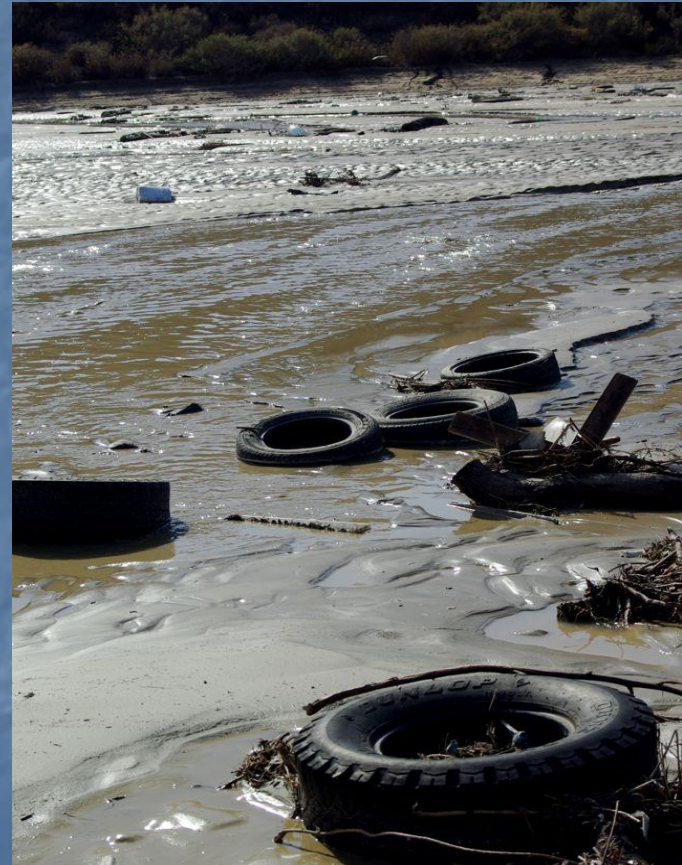
# Identifying an Issue

- Every year storm water carries over 4,000 tires across the border from Tijuana into California



# The Issue

- The California Integrated Waste Board (CIWMB) has surplus funding to address the tire waste
- Despite the surplus the CIWMB does not have the authority to spend the money across the U.S./Mexico border, to address the massive waste





# Research the Issue

- Contact organizations aware of the problem and utilize their research
- Research studies done on the tire pollution problem
- Research fiscal impacts
- Research legislation in other states
- Research state legislator's bill history
- Create white paper



# White Paper



White Paper  
Breaking the Tire Cycle

University of San Diego  
Advocacy EDLD513  
Libby/Wayne

Benny  
Cartwright

Maureen  
Guarcello

Ben  
McCue

Jennifer  
Martin

Adina  
Veen



# Brand The Issue

- Toss ideas around
- A few drawings put together
- Jen's creative design
- Create fact sheet



# Fact Sheet



Reducing the public health, environmental, and economic impacts of the ocean-bound pollution of waste tires along the San Diego-Tijuana border

## THE CALIFORNIA - TIJUANA TIRE CYCLE



Border Field State Park, San Diego County on Thanksgiving Day, 2008. Pollution shown in picture is the result of less than one inch of rain which fell in the region the previous day.

The California Legislature can help break this tire cycle by amending the Public Resources Code to give the CIWMB the authority to fund waste tire recycling and reuse projects in Baja California. As these funds are available in surplus, this legislation has a *neutral fiscal impact*.

The California Integrated Waste Management Board (CIWMB) exports more than two million waste tires annually to Mexico in an effort to keep them out of California landfills. In Mexican border cities, waste tires are used in shantytowns, or colonias, as inexpensive building materials and for attempted erosion control. In wet-weather months, storm water carries thousands of waste tires every year across the border from Tijuana into California. This creates significant environmental, public health, and economic impacts. State, local, and federal agencies spend public funds to excavate the tires, which are ultimately disposed in California landfills. The most efficient and cost-effective way to deal with this waste tire issue is to work directly with Baja California agencies investing in and developing cooperative recycling and reuse projects. Despite a surplus of means available in the established fund for these projects, the CIWMB does not currently have the authority to spend money across the border.

## 4,000 tires a year

Approximately 4,000 tires are hand-plucked each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve. Many thousands more are unable to be removed due to limited time and resources.

California Biodiversity Council. Biodiversity Along the Border Committee. Final Report, 2007.

Contact the Break the Tire Cycle Coalition at:

925 Seacoast Drive • Imperial Beach, California 91932 • p: 619.929.1363 • f: 619.423.8488  
breakthetirecycle@gmail.com





# Positional Map

Opposition

Neutral

Proponents

**CA-IWMB**

**Office of the Governor**

**Minute Men**

**Department of Homeland Security**

**Tire Industry  
Imperial Beach Schools  
Hospital System**

**Wild Coast  
Surfrider Foundation**

**Coastkeepers  
Scripps Institution of  
Oceanography  
TJ River Citizens' Council**

**Chicano Groups  
National Border Patrol  
Council: Local 1613  
United States Navy  
Tijuana River Valley Equestrian Assoc.  
City of San Diego  
City of Chula Vista  
City of Imperial Beach  
City of Coronado  
County of San Diego  
SDSU**

**Audobon Society  
Sierra Club  
Humane Society  
I love a Clean SD**



# Form a Coalition

- Contact key stakeholders
- Use existing coalition members to attract others
- Equip our coalition with educational materials to advocate on behalf of Breaking the Tire Cycle (BTC)





# Create Educational Materials

- Fact Sheet
- Letterhead
- Template letter to legislators
- Tire cycle illustration



# Launch Media Campaign

- Footage from Thanksgiving Day
- Union Tribune story
- Communicate with local papers and media



# Approach Policy Makers

- Call Sacramento offices of Senators and Assembly Members
- Email schedule request to meet with Assembly Member or Senator
- Meeting in district office





# Email to Capitol Offices

Hello Phyllis,

We would like to request a meeting with Senator Ducheny or a legislative aide on Monday, January 5, 2008. We would like to discuss possible legislation ideas on how to "break the cycle" of waste tires that flow from Tijuana into sensitive ecosystems within the Senator's district. We are supported by Wildcoast and other environmental and public health organizations.

Please contact me by phone or email to confirm a meeting.

Thank you,

--

Adina Veen

*Breaking the Tire Cycle*

p: 619.929.1363

f: 619.423.8488

[breakthetirecycle@gmail.com](mailto:breakthetirecycle@gmail.com)

925 Seacoast Drive · Imperial Beach, CA 91932



# Monitor Progress

- Identify a key coalition member to be vigilant in continuing the campaign



# HELP US BREAK THE TIRE CYCLE

Break the Tire Cycle Coalition  
925 Seacoast Drive  
Imperial Beach, California 91932

p: 619.929.1363 · f: 619.423.8488  
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